

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 243.1 to permit a front yard setback of five (5') feet in lieu of the required seventy-five (75') feet; from Section 243.2 to permit a side yard setback of three (3') feet in lieu of the required fifty (50') feet; and from Section 243.3 to permit a rear yard setback of zero (0') feet in lieu of the required fifty (50') feet. of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

Proposed building additions are continuations of the front yard, and rear yard setbacks of existing building structures associated with the manufacturing use of the subject property. No additional land is available for expansion of the facilities, thus limiting expansion improvements to the limits shown on the plat.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: Legal Owner(s):
(Type or Print Name) Maryland Etching Company, Inc.
(Type or Print Name)
Signature: Signature: Gilbert C. Hooper, President
(Type or Print Name)
Address: (Type or Print Name)
City and State: Signature

Attorney for Petitioner: William M. Hesson, Jr.
(Type or Print Name)
Signature: William M. Hesson, Jr.
Address: 204 W. Pennsylvania Avenue
Towson, Maryland 21204
City and State
Attorney's Telephone No.: 823-7800
P.O. Box 6737 825-0700
Address: Phone No.
Towson, Maryland 21204
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
William M. Hesson, Jr.
204 W. Pennsylvania Avenue
Towson, Maryland 21204
Address: Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 25th day of February, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 11th day of February, 1986, at 1:30 o'clock.
Zoning Commissioner of Baltimore County.

(over)

AGREEMENT IN CONSIDERATION OF RESTRICTIVE COVENANTS

THIS AGREEMENT, is made and entered into as of this 11th day of November, 1984, by and between Maryland Etching Company, Inc. and Metro Housing, Inc. (collectively "Owner"), and Mount Calvary A.M.E. Church, also known as Mount Calvary Methodist Protestant Church ("Church").

EXPLANATORY STATEMENT

Owner, are contract purchaser and owner, respectively, and parties to an Agreement of Sale, for the purchase of property known as Lots 8 and 9 as shown on a Plat entitled "Plat of Land belonging to the Relief Association for Baltimore County, Maryland," Map 70, Block 9, parcel 891 (tax property numbers 0923350642 and 0923352510), and being all or part of the property described in deeds recorded in Baltimore County Land Records Liber 6523, pages 129 and 131 (the property), and which property Owner intends to use as a parking lot. In order to provide protection to Church and residents in the immediate neighborhood and to promote harmony between Owner, Church and such residents, the parties hereto have contemporaneously herewith entered into a Restrictive Covenants Agreement which restricts the use of the Property as agreed by the parties.

It is expressly understood, however, by the parties hereto that this Agreement is to have no effect on the Owner's right to use or develop the property as currently allowed under existing zoning.

The purpose of this Agreement is to set forth the understanding and agreements between the parties concerning the recording of the Restrictive Covenants Agreement and other actions to be taken by the parties concerning the use of the Property.

NOW, THEREFORE, in consideration of the mutual covenants and agreements set forth herein, the parties hereto, intending to be legally bound, hereby agree as follows:

1. The Restrictive Covenants Agreement to be executed by the parties hereto shall be held in escrow by People's Counsel as escrow agent, until such time as the property described above has been zoned ML.
2. Upon occurrence of the above event, the escrow agent shall record the Restrictive Covenant Agreement at Owner's expense. The Restrictive Covenant Agreement shall then be promptly recorded with the original thereof being returned to the person designated by Church.

EXHIBIT OWNER'S
DECLARATION 1a

3. Church, in consideration of the above, agrees to support Owner's efforts to secure all necessary governmental approval for use of the property as a parking lot to service its business. Church also expressly warrants that this matter has been discussed by its congregation and members respectively, that this action (entering into this agreement) has been specifically and duly authorized, and that it has no knowledge of any member of either group dissenting to or planning to object to the use of the property as a parking lot as aforesaid so long as this Agreement is made, and complied with.

4. Owner agrees to landscape the property so as to meet the minimum standards set forth in the Baltimore County Landscaping Manual. Within reasonable limits, Owner agrees to provide such additional landscaping as may be requested by the Church within six months of the transfer of the property to owner. Should Owner and Church disagree as to the reasonableness of a request, both parties agree to submit the dispute to Barbara Bachur, Councilwoman for the Fourth Councilmanic District of Baltimore County, for resolution and to be bound by her decision. The landscaping obligation of the Owner shall not be a covenant binding on and running with the land, nor shall it be included in any deed or Restrictive Covenant Agreement affecting the property.

5. The Church has attempted to take into consideration the needs and desires of the residents immediately adjacent to the property and has consulted with them. Both parties expressly acknowledge however that only Church and Owner are conferred any rights or obligations by virtue of this Agreement.

6. This Agreement shall be binding upon the respective successors and assigns of the parties hereto.

7. This Agreement is to be construed and interpreted in accordance with the laws of the State of Maryland.

8. The Restrictive Covenants Agreement attached hereto shall be executed immediately following execution of this Agreement.

9. This Agreement shall be null and void in the event the aforesaid property is not zoned ML on the 1984 Baltimore County Zoning Map.

10. This Agreement constitutes the entire agreement between the parties and may not be modified, amended or otherwise changed except by a written instrument duly signed by all the parties to this Agreement.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and year first above written.

METRO HOUSING, INC.

Attest: Signature: By: D. Eugene A. Boyd

MARYLAND ETCHING COMPANY, INC.

Attest: Signature: By: Gilbert C. Hooper

MOUNT CALVARY A.M.E. CHURCH, a/k/a
MOUNT CALVARY METHODIST PROTESTANT

CHURCH

Attest: Signature: By: R. William O. H.

Witness

2

3

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JADON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

February 25, 1986

William M. Hesson, Jr., Esquire
204 W. Pennsylvania Avenue
Towson, MD 21204

RE: PETITION FOR VARIANCE
NE/S of Eudowood Lane,
130' SE of Hillen Road
9th Election District
Maryland Etching Co., Inc.,
Petitioner
Case No. 86-302-A

Dear Mr. Hesson:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

Signature: Jean M. H. Jung
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMHJ:bg

Attachments

cc: People's Counsel

Mr. Michael Miller
1241 E. Pennsylvania Avenue
Towson, MD 21204

IN RE: PETITION FOR VARIANCE
NE/S of Eudowood Lane,
130' SE of Hillen Road
9th Election District
Maryland Etching Co., Inc.,
Petitioner
BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 86-302-A

The Petitioner herein requests variances to permit a front yard setback of 5 feet in lieu of the required 75 feet, a side yard setback of 3 feet in lieu of the required 50 feet and a rear yard setback of zero feet in lieu of the required 50 feet.

Testimony indicated that the Petitioner is a light manufacturing business, established in 1945 and under the ownership of the current president since 1966. Business has expanded to the point that approximately 40% more floor space is proposed for warehouse, storage, art and photography departments, office, and employee amenities, as indicated on the plan prepared by Whitney, Bailey, Cox and Magnani, dated October 1985 and marked Petitioner's Exhibit 1. In general, the requested variances extend the setbacks of existing building structures. The company will invest considerable funds to remain in the community, protect close to 50 jobs and perhaps provide more jobs. The Petitioner, with an option to buy additional property to enlarge the site to one acre, requested and was granted M.L.-zoning during the 1984 comprehensive map process. The Petitioner entered into covenants regarding the parking lot with the church on the south side of Eudowood Lane. A representative of the church participated in the hearing. There were no Protestants.

After due consideration of the testimony and evidence presented, and it appearing that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner, and the granting of the variances requested would not adversely affect

the health, safety, and general welfare of the community, and, therefore, the variances should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 25th day of February, 1986, that the herein Petition for Variances to permit a front yard setback of 5 feet in lieu of the required 75 feet, a side yard setback of 3 feet in lieu of the required 50 feet and a rear yard setback of zero feet in lieu of the required 50 feet, in accordance with Petitioner's Exhibit 1, is hereby GRANTED, from and after the date of this Order, subject, however, to the following restriction:

1. The Petitioner shall comply with all landscape requirements of the Baltimore County Office of Current Planning and Development.

JMHJ:bg

Signature: Jean M. H. Jung
Deputy Zoning Commissioner
of Baltimore County

SPELLMAN, LARSON
& ASSOCIATES, INC.

SUITE 107 - JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
823-3355

ROBERT E. SPELLMAN, P.L.S.
JOSEPH L. LARSON
LOUIS J. PASECKI, P.E.
ALBERT FREIT

DESCRIPTION FOR ZONING, NORTHEAST SIDE OF EUDOWOOD LANE, SOUTHEAST OF HILLEN ROAD, 9TH DISTRICT, BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point on the northeast side of Eudowood Lane at the distance of 130 feet, more or less, measured southeasterly along the northeast side of Eudowood Lane from the centerline of Hillen Road extended northwesterly to meet the northeast side of Eudowood Lane and running thence and binding on the northeast, northwest and northeast sides of Eudowood Lane South 73 Degrees 58 Minutes 22 Seconds East 115.58 feet North 24 Degrees 32 Minutes 17 Seconds East 72.91 feet and South 80 Degrees 00 Minutes 20 Seconds East 287.84 feet thence leaving the northeast side of Eudowood Lane and running North 24 Degrees 02 Minutes 35 Seconds East 106.15 feet to the Southwest side of the former Maryland and Pennsylvania Railway Company right of way and running thence and binding thereon North 56 Degrees 06 Minutes 04 Seconds West 410.84 feet thence leaving said Railroad right of way and running South 28 Degrees 01 Minutes 36 Seconds West 123.86 feet to the place of beginning.

Containing 1.0 acres of land, more or less.

10/15/85



RESIDENTIAL & COMMERCIAL DEVELOPMENT DESIGN • LAND SURVEYING
LAND PLANNING • SUBDIVISION LAYOUT • FEASIBILITY STUDIES • ESTIMATING
GRADING STUDIES • LOCATION SURVEYS • TECHNICAL CONSULTATION

RESTRICTIVE COVENANTS AGREEMENT

THIS RESTRICTIVE COVENANTS AGREEMENT is made and entered into as of this 11 day of November, 1984, by and between MARYLAND ETCHING COMPANY, INC. and METRO HOUSING, INC. (collectively "Owner"), parties of the first part, and the MOUNT CALVARY A.M.E. CHURCH also known as the MOUNT CALVARY METHODIST-PROTESTANT CHURCH (the "Church"), party of the second part.

WHEREAS, the parties of the first part are contract purchaser and fee simple owner of a tract of land described in a deed recorded in the Land Records of Baltimore County in Liber 6523, Page 129 (hereinafter referred to as the "Property"); and

WHEREAS, the Church has supported the use of the property as a parking lot to serve contract purchaser's business; and

WHEREAS, the Church represents the church members, residents, and property owners in the area to be affected by the use of the property as a parking lot, and being so affected, has entered into this Agreement for the purpose of limiting the use of the Property; and

WHEREAS, although the Church has attempted to take into consideration the needs and desires of the residents of the immediate neighborhood adjacent to the property and has consulted with them, all parties expressly acknowledge that only the Church and the Owner are conferred any rights or obligations by this Agreement; and

WHEREAS, the Owner and the Church desire to place certain restrictions and conditions upon the Property, subject to the terms of this Agreement; and

WHEREAS, in order to have the restrictions and conditions on the Property in this Agreement binding and in full force and effect upon the Owner, its successors and assigns, it will hold, utilize and thereafter convey the Property subject to the covenants, restrictions and conditions herein contained.

NOW, THEREFORE, THIS AGREEMENT WITNESSETH: That in consideration of the mutual agreements, covenants, restrictions and conditions herein contained, and the sum of Five Dollars (\$5.00) paid by each party to the other, and other good and valuable consideration, the receipt of which is hereby mutually acknowledged, the parties hereby agree to enter into these presents and to have the same recorded among the Land Records for Baltimore County, and that subject to the provisions hereof, the covenants, restrictions and conditions shall run with and be

binding upon the Property and all future owners thereof and shall inure to the benefit of each of the parties hereto, their successors, and assigns, as follows:

1. In the event the property is not used for residential purposes, it shall be used solely as a parking lot.

2. In the event the property is used as a parking lot, the members of the Church shall have the right to use the property for parking in conformance with all applicable laws, ordinances, regulations and the like.

In the event that the residential property adjacent to the property which is subject to these covenants should have its zoning changed to a non-residential classification or cease to be used for residential purposes, this Restrictive Covenant Agreement shall be null and void; with the exception that Church members shall have the right to use whatever parking area is owned by Owner and used by it to service its business premises as presently located, it being expressly acknowledged that in the event of the zoning or use change aforesaid this Restrictive Covenant Agreement shall have no effect on the right or ability of the Owner to locate parking, buildings or other operations anywhere on property owned by it, including the property subject to this Agreement; further, should the Church cease to use its property adjacent to the property which is subject to these covenants primarily for religious or community purposes, or should the Church transfer (voluntarily or involuntarily) its property or any part thereof, restrictive Covenant No. 2 as set forth above (parking for church members) shall be null and void.

This Agreement contains the entire understanding between the parties and each of the parties hereto warrants that it has carefully read and understands this Agreement and is cognizant of the terms hereof and further understands its respective rights and obligations with respect to all matters involved in this Agreement.

This Agreement may only be amended by the written agreement of the parties hereto or their respective successors or assigns. In the event that the Church shall cease to exist for a period of

90 days or more, for any reason, including, but not limited to, dissolution or forfeiture of any corporate charter, then Covenant No. 2 as set forth above (parking for Church members) shall be null and void, and any revival (including, but not limited to, Articles of Revival) by any means shall not reinstate Covenant No. 2.

METRO HOUSING, INC.
By: [Signature]
Attest: [Signature]

MARYLAND ETCHING COMPANY, INC.
By: [Signature]
Attest: [Signature]

MOUNT CALVARY A.M.E. CHURCH, a/k/a
MOUNT CALVARY METHODIST-
PROTESTANT CHURCH

By: [Signature]
Witness: [Signature]

STATE OF MARYLAND, COUNTY OF Baltimore, to wit:

I HEREBY CERTIFY, That on this 11 day of November, 1984, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared [Signature] who acknowledged himself to be the President of MARYLAND ETCHING COMPANY, INC., a corporation, and that he as such President being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing in my presence, the name of the corporation by himself as such President.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.
My Commission expires: July 1, 1986

STATE OF MARYLAND, COUNTY OF Baltimore, to wit:

I HEREBY CERTIFY, That on this 11 day of November, 1984, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared [Signature] who acknowledged himself to be the President of METRO HOUSING, INC., a corporation, and that he as such President being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing in my presence, the name of the corporation by himself as such President.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

By: [Signature]
Notary Public

My Commission expires: July 1, 1986

STATE OF MARYLAND, COUNTY OF Baltimore, to wit:

I HEREBY CERTIFY, That on this 11 day of November, 1984, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared [Signature] who acknowledged himself to be the President of MOUNT CALVARY A.M.E. CHURCH, a/k/a MOUNT CALVARY METHODIST-PROTESTANT CHURCH, a Church, and that he as such President being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing in my presence, the name of the Church by himself as such President.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.
By: [Signature]
Notary Public

My Commission expires: July 1, 1986

PETITION FOR ZONING VARIANCE

9th Election District

LOCATION: Northeast side of Eudowood Lane, 130 feet Southeast of Hillen Road

DATE AND TIME: Tuesday, February 11, 1986, at 1:30 p.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Zoning Variance from Sections (255.2) 243.1 to permit a front yard setback of five feet in lieu of the required seventy-five feet; from Section 243.2 to permit a side yard setback of three feet in lieu of the required fifty feet; and from Section 243.3 to permit a rear yard setback of zero feet in lieu of the required fifty feet.

Being the property of Maryland Etching Company, Inc., as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
NE/S of Eudowood Lane, 130' :
SE of Hillen Rd., 9th District : OF BALTIMORE COUNTY
MARYLAND ETCHING COMPANY, : Case No. 86-302-A
INC., Petitioner : : : : : :

ENTRY OF APPEARANCE

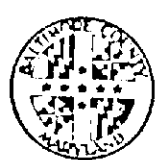
Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

[Signature]
Phyllis Cole Friedman
People's Counsel for Baltimore County

[Signature]
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 21st day of January, 1986, a copy of the foregoing Entry of Appearance was mailed to William M. Hesson, Jr., Esquire, 204 W. Pennsylvania Ave., Towson, MD 21204, Attorney for Petitioner.

[Signature]
Peter Max Zimmerman



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

January 28, 1986

William M. Hesson, Jr., Esquire
204 West Pennsylvania Avenue
Towson, Maryland 21204

RE: PETITION FOR ZONING VARIANCE
NE/S of Eudowood Lane, 130' SE of Hillen Rd.
Maryland Etching Company, Inc., Petitioner
9th Election District
Case No. 86-302-A

Dear Mr. Hesson:

This is to advise you that \$75.00 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 018345

more County, Maryland, and remit Building, Towson, Maryland

DATE: 1/28/86 ACCOUNT: 018345

AMOUNT: \$ 75.00

RECEIVED FROM: William M. Hesson, Jr.

FOR: Advertising and Posting

VALIDATION OR SIGNATURE OF CASHIER: [Signature]

CERTIFICATE OF PUBLICATION

TOWSON, MD, January 23, 1986

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on January 23, 1986.

THE JEFFERSONIAN,

[Signature]
Publisher

Cost of Advertising
27.50

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 974 Date of Posting: 1/21/86

Posted for: Variance

Petitioner: Maryland Etching Company, Inc.

Location of property: NE/S Eudowood Lane, 130' SE of Hillen Rd.

Location of Sign: NE/S Eudowood Lane, 130' SE of Hillen Rd.

Remarks: as presently on file

Posted by: [Signature] Date of return: 1/24/86

Number of Signs: 1

Case No. 86-302-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
6th day of January, 1985.

ARNOLD JABLON
Zoning Commissioner

Petitioner Maryland Etching Co., Inc. Received by
Petitioner's Attorney William M. Hesson, Jr., Esquire

James E. Dyer
Chairman, Zoning Plans
Advisory Committee

CERTIFICATE OF PUBLICATION

TOWSON, MD., January 22, 1985

THIS IS TO CERTIFY that the annexed advertisement was
published in the TOWSON TIMES, a weekly newspaper printed
and published in Towson, Baltimore County, Md., once in each
of successive weeks, the first publication appearing
on January 22, 1985.

TOWSON, TIMES,

Publisher

42.50

86-302-A

William M. Hesson, Jr., Esquire
204 West Pennsylvania Avenue
Towson, Maryland 21204

January 10, 1986

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
NE/Side of Hildebrand Lane, 130' SE of Hillen Road
Maryland Etching Company, Inc., Petitioner
Case No. 86-302-A

TIME: 1:30 p.m.

DATE: Thursday, February 11, 1986

PLACE: Room 106, County Office Building, 111 West Chesapeake
Avenue, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 012355

DATE: ACCOUNT: AMOUNT: \$

RECEIVED FROM:

FOR:

VALIDATION OR SIGNATURE OF CASHIER

LAW OFFICES

NOLAN, PLUMHOFF & WILLIAMS
CHARTERED
204 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
(301) 823-7800

OF COUNSEL
RALPH E. DEITZ
9028 LIBERTY ROAD
RANDALLSTOWN, MARYLAND 21133
(301) 822-2101

RUSSELL J. WHITE

March 6, 1986

Reverend William Gray
Mount Calvary AME Church
300 E. Chesapeake Avenue
Towson, Maryland 21204

Re: Maryland Etching/Restrictive Covenants

Dear Reverend Gray:

Deputy Zoning Commissioner Jean Jung has asked that I advise you
on the current status of the above-captioned matter. Since my tele-
phone conference with Commissioner Jung, I have received back from
the Restrictive Covenants Agreement. I have enclosed here-
with the original Restrictive Covenants Agreement indicating the re-
cording data stamped thereon. I strongly urge that you keep this
document with the most important papers with the church so that it is
not lost. However, even if it should be lost or misplaced, the fact
that it has been recorded among the Land Records of Baltimore County
is sufficient protection for the church.

If you have any questions about this matter, please do not hesi-
tate to give me a call.

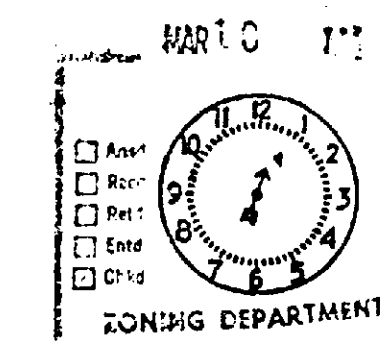
Very truly yours,

William M. Hesson, Jr.

WMHJR/ndg

Enclosure

cc: Mr. Gilbert Hooper
Ms. Jean Jung,
Deputy Zoning Commissioner



LAW OFFICES

NOLAN, PLUMHOFF & WILLIAMS
CHARTERED
204 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
(301) 823-7800

OF COUNSEL
RALPH E. DEITZ
9028 LIBERTY ROAD
RANDALLSTOWN, MARYLAND 21133
(301) 822-2101

RUSSELL J. WHITE

November 5, 1985

Honorable Arnold Jablon
Zoning Commission for Baltimore County
County Office Building
111 E. Chesapeake Avenue
Towson, Maryland 21204

Dear Mr. Jablon:

On November 5, I filed, on behalf of Maryland Etching Com-
pany, Inc., a petition for variance at their location on Hildebrand
Lane. Part of the scheme of development of my client depends
upon the acquisition of an adjacent site by the end of the calen-
dar year 1985. As a consequence, a hearing on the variances re-
quested need to be completed at the earliest possible time.

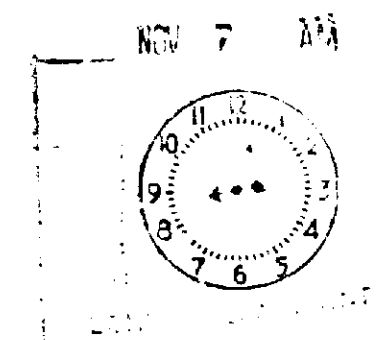
I realize that there are time requirements which will affect
the scheduling of this case. However, I request that the matter
be set in for hearing at the earliest possible time in light of
the circumstances.

Sincerely,

William M. Hesson, Jr.

WMHJR/ndg

cc: Mr. James Dyer
Mr. Gilbert Hooper
Mr. Brian Jones
Mr. Robert Spellman



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning
SUBJECT: Zoning Petition No. 86-302-A

Date: January 22, 1986

There are no comprehensive planning factors requiring comment
on this petition.

Norman E. Gerber, AICP
Director

NEG:JGH:slm

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

January 13, 1986

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

William M. Hesson, Jr., Esquire
204 W. Pennsylvania Avenue
Towson, Maryland 21204

RE: Item No. 172, Case No. 86-302-A
Petitioner - Md. Etching Company, Inc.
Variance Petition

Dear Mr. Hesson:

The Zoning Plans Advisory Committee has reviewed the plans sub-
mitted with the above-referenced petition. The following comments
are not intended to indicate the appropriateness of the zoning action
requested, but to assure that all parties are made aware of plans or
problems with regard to the development plans that may have a bearing
on this case. The Director of Planning may file a written report with
the Zoning Commissioner with recommendations as to the suitability of
the requested zoning.

Enclosed are all comments submitted from the members of the
Committee at this time that offer or request information on your
petition. If similar comments from the remaining members are received,
I will forward them to you. Otherwise, any comment that is not infor-
mative will be placed in the hearing file. This petition was accepted
for filing on the date of the enclosed filing certificate and a hearing
scheduled accordingly.

Very truly yours,

James E. Dyer
Chairman
Zoning Plans Advisory Committee

JED:mr

Enclosures

cc: Spellman, Larson & Associates, Inc.
Suite 107 - Jefferson Building
105 West Chesapeake Avenue
Towson, Maryland 21204

Whitney, Bailey, Cox, Magnani
1850 York Road
Timonium, Maryland 21093

BALTIMORE COUNTY
PLANNING AND ZONING
TOWSON, MARYLAND 21204
NORMAN E. GERBER
DIRECTOR

JANUARY 14, 1986

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

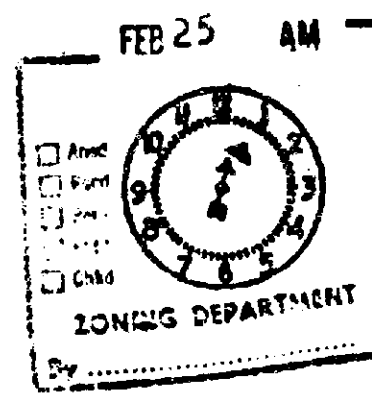
Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject
petition and offers the following comments. The items checked below are
applicable:

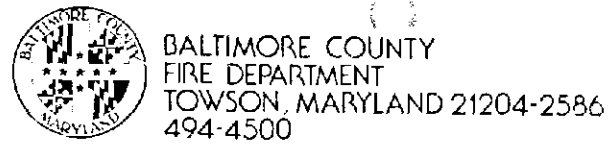
- ☒ There are no site planning factors requiring comment.
- ☒ A County Review Group meeting was held and the minutes will be
forwarded by the Bureau of Public Services.
- ☒ This site is part of a larger tract; therefore it is defined as a
subdivision. The plan must show the entire tract.
- ☒ A record plat will be required and must be recorded prior
to issuance of a Building Permit.
- ☒ The circulation on this site is not satisfactory.
- ☒ The parking arrangement is not satisfactory.
- ☒ Parking calculations must be shown on the plan.
- ☒ This property contains soils which are defined as wetlands, and
development on these soils is prohibited.
- ☒ Construction in or alteration of the floodplain is prohibited
under the provisions of Section 22-88 of the Development
Regulation.
- ☒ Development of this site may constitute a potential conflict with
the Baltimore County Master Plan.
- ☒ The proposed Development Plan was approved by the Planning Board
on 1/13/86.
- ☒ Enclosures: Just copy with Baltimore County Land Use Manual.
The property is located in a deficient service area as defined by
Capacity Use Certificate has been issued. The deficient service
is:
- ☒ The property is located in a deficient area controlled by a top level
intersection as defined by 2111.17-27. The deficient service area
is: 2111.17-27. The deficient service area is: 2111.17-27. The deficient service
area is: 2111.17-27. The deficient service area is: 2111.17-27.

cc: James Hyslop

Norman E. Gerber
Chairman, Current Planning and Development



RECEIVED
FEB 25 1986
Maryland Etching
1850 YORK ROAD
TIMONIUM, MD 21093



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE
CHIEF

November 22, 1985

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Maryland Etching Company, Inc

Location: NE side Eudowood Lane, 130' SE of Hillen Road

Item No.: 172 Zoning Agenda: Meeting of November 19, 1985

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with a. "X" are applicable and required to be corrected or incorporated into the final plans for the property.

(X) 1. Fire hydrants for the referenced property are required and shall be located at intervals or 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

(X) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation. Fire mains shall have a minimum diameter of 8 inches.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: *[Signature]* Noted and
Planning Group Approved: *[Signature]*
Special Inspection Division

/mb



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

December 6, 1985

TED ZALESKI, JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 172 Zoning Advisory Committee Meeting are as follows:

Property Owner: Maryland Etching Company, Inc.
Location: NE/Side Eudowood Lane, 130' SE of Hillen Road
District: 9th.

APPLICABLE ITEMS ARE CIRCLED:

(A) All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.N.S.I. #117-1 - 1980) and other applicable Codes and Standards.

(B) A building and other miscellaneous permits shall be required before the start of any construction.

C. Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/are not required on plans and technical data.

(L) Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.

(E) All Use Groups except R-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. R-4 Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 401, Section 407, Section 406.2 and Table 402. No openings are permitted in an exterior wall within 3'-0" of an interior lot line. See also Section 444.5 for opening protectives that may be required.

F. The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 401 and 505 and have your Architect/Engineer contact this department.

G. The requested variance appears to conflict with Section(s) _____, of the Baltimore County Building Code.

(F) When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use _____ to Use _____, or to Mixed Uses. See Section 312 of the Building Code.
What are the individual uses of the various structures.

I. The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.

(J) Comments: Please advise how the existing structure will be able to comply to Table 501. With the proposed addition Section 505.2 may require some minor or major changes to existing construction. As a minimum it appears the fire wall may be part of the answer between new and old construction. See the State Handicapped Code which will require compliance also. An elevator would appear to be required under the Handicapped Code.

NOTE:

(K) These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, the applicant may obtain additional information by visiting Room 122 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

[Signature]
By: C. E. Burnham, Chief
Building Plans Section

L/22/85



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

January 7, 1986

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. -ZAC- Meeting of November 16, 1985
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

Acres:
District:

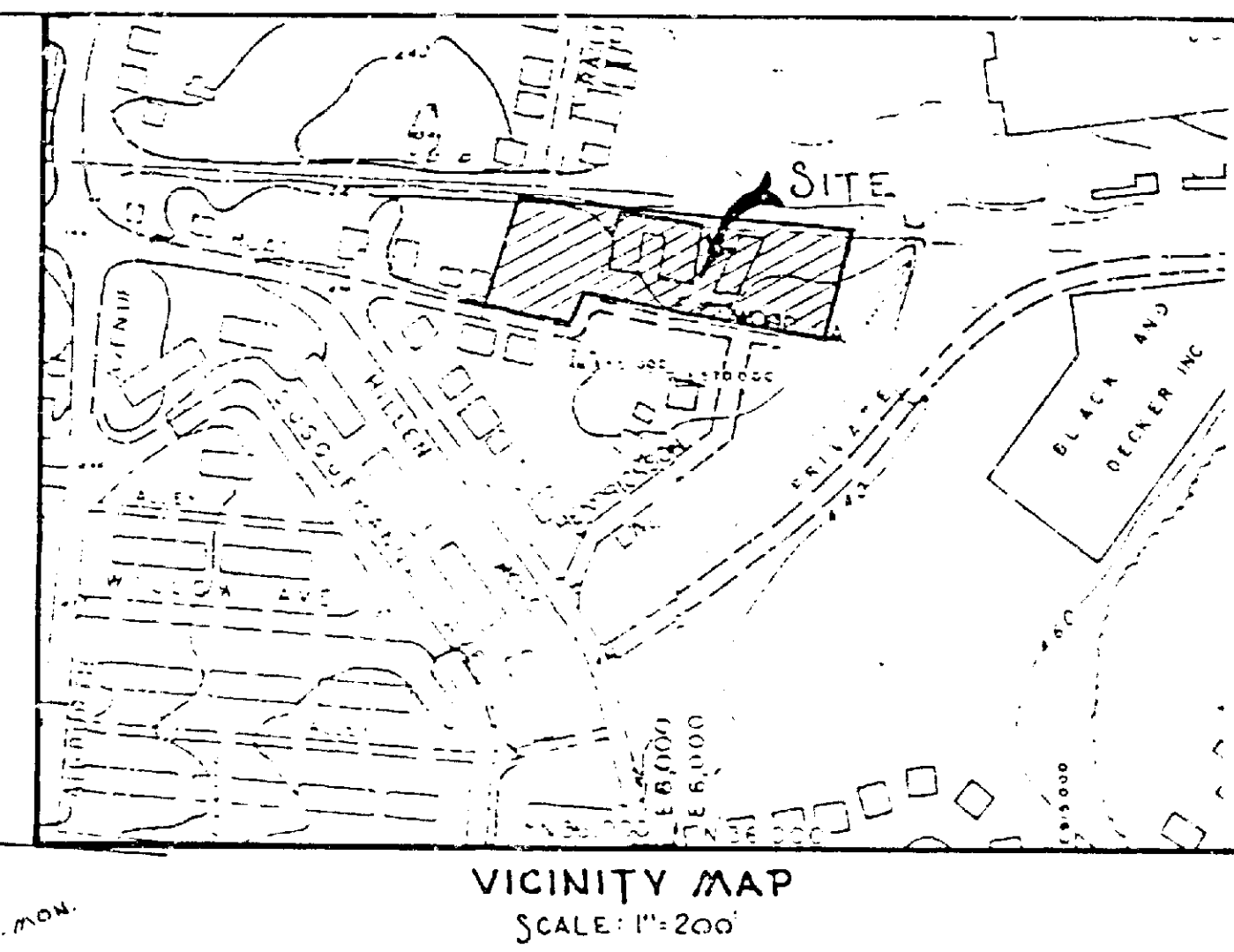
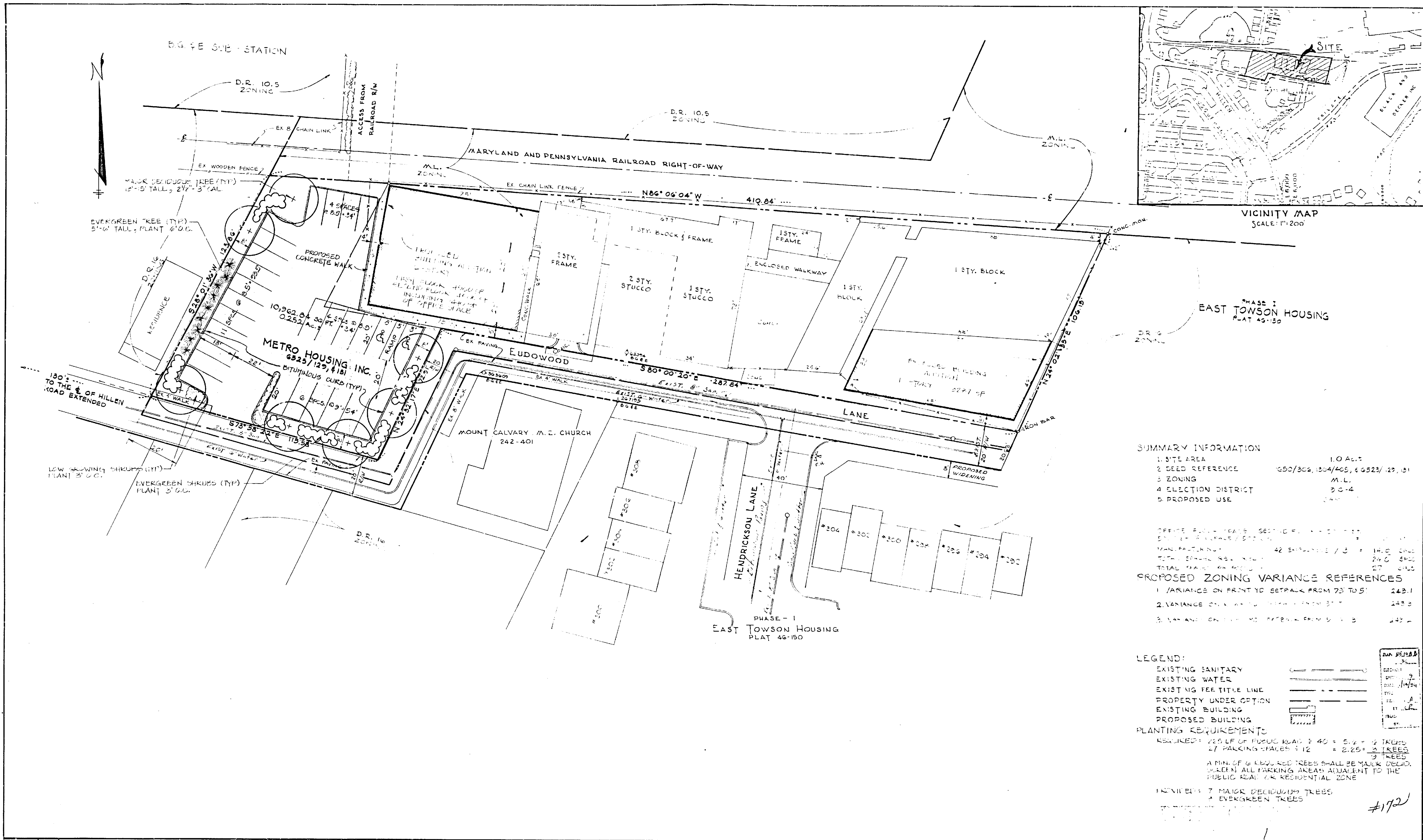
Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items numbered 171, (172), 174, 175, 178, 179, 180, and 181.

[Signature]
Michael S. Flanigan
Traffic Engineer Associate II

MSF/blb

2/11
86-302-1A



SUMMARY INFORMATION

1. SITE AREA	1.0 AC.
2. DEED REFERENCE	652/302, 1304/405, & 6523/129, 131
3. ZONING	M.L.
4. ELECTION DISTRICT	30-4
5. PROPOSED USE	REHAB

PROPOSED ZONING VARIANCE REFERENCES

1. VARIANCE ON FRONT YD. SETBACK FROM 75' TO 5'	243.1
2. VARIANCE ON SIDE YD. SETBACK FROM 30' TO 25'	243.2
3. VARIANCE ON REAR YD. SETBACK FROM 30' TO 25'	243.3

LEGEND:

EXISTING SANITARY	—
EXISTING WATER	—
EXISTING FERTILE LINE	—
PROPERTY UNDER OPTION	—
EXISTING BUILDING	—
PROPOSED BUILDING	—

PLANTING REQUIREMENTS:

REQUIRED: 25 LF OF PUBLIC ROAD = 40 = 5.2 = 12 TREES
 27 PARKING SPACES = 12 = 2.25 = 3 TREES

A MIN. OF 6 RED TREES SHALL BE PLANT. DECID. PLANT. ALL PARKING AREAS ADJACENT TO THE PUBLIC ROAD OR RESIDENTIAL ZONE

REQUIRE: 7 MAJOR DECIDUOUS TREES
 1 EVERGREEN TREES

DATE	NO.	REVISION	OWNER:	PLAT TO ACCOMPANY PETITION FOR VARIANCES MARYLAND ETCHING COMPANY P.O. BOX 6737 BALTIMORE COUNTY, MARYLAND		WHITNEY BAILEY CONSULTING ENGINEERS 1850 York Road Timonium Md. 21093 301-252-6050
			MARYLAND ETCHING COMPANY INC - LOTS 10 THROUGH 14 OF PLAT 2/42 Q.T. 4507/230 & E.H.K. JR. 3434/147 W/OPTION TO PURCHASE FROM METRO HOUSING INC - LOTS 8 & 9 OF PLAT 2/42 E.H.K. JR. 6523/129 & 131			

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 243.1 to permit a front yard setback of five (5') feet in lieu of the required seventy-five (75') feet; from Section 243.2 to permit a side yard setback of three (3') feet in lieu of the required fifty (50') feet; and from Section 243.3 to permit a rear yard setback of zero (0') feet in lieu of the required fifty (50') feet. of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

Proposed building additions are continuations of the front yard, and rear yard setbacks of existing building structures associated with the manufacturing use of the subject property. No additional land is available for expansion of the facilities, thus limiting expansion improvements to the limits shown on the plat.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: Maryland Etching Company, Inc.
(Type or Print Name)
Signature: Gilbert C. Hooper, President
Address: (Type or Print Name)
City and State: (Type or Print Name)

Attorney for Petitioner: William M. Hesson, Jr.
(Type or Print Name)
Signature: William M. Hesson, Jr.
Address: 204 W. Pennsylvania Avenue
Townson, Maryland 21204
City and State: Maryland 21204
Attorney's Telephone No.: 823-7800

ORDERED By The Zoning Commissioner of Baltimore County, this 25th day of February, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 11th day of February, 1986, at 1:30 o'clock.

(over)

AGREEMENT IN CONSIDERATION OF RESTRICTIVE COVENANTS

THIS AGREEMENT, is made and entered into as of this 11th day of November, 1984, by and between Maryland Etching Company, Inc. and Metro Housing, Inc. (collectively "Owner"), and Mount Calvary A.M.E. Church, also known as Mount Calvary Methodist Protestant Church ("Church").

EXPLANATORY STATEMENT

Owner, are contract purchaser and owner, respectively, and parties to an Agreement of Sale, for the purchase of property known as Lots 8 and 9 as shown on a Plat entitled "Plat of Land belonging to the Relief Association for Baltimore County, Maryland," Map 70, Block 9, parcel 891 (tax property numbers 0923350642 and 0923352510), and being all or part of the property described in deeds recorded in Baltimore County Land Records Liber 6523, pages 129 and 131 (the property), and which property Owner intends to use as a parking lot. In order to provide protection to Church and residents in the immediate neighborhood and to promote harmony between Owner, Church and such residents, the parties hereto have contemporaneously herewith entered into a Restrictive Covenants Agreement which restricts the use of the Property as agreed by the parties.

It is expressly understood, however, by the parties hereto that this Agreement is to have no effect on the Owner's right to use or develop the property as currently allowed under existing zoning.

The purpose of this Agreement is to set forth the understanding and agreements between the parties concerning the recording of the Restrictive Covenants Agreement and other actions to be taken by the parties concerning the use of the Property.

NOW, THEREFORE, in consideration of the mutual covenants and agreements set forth herein, the parties hereto, intending to be legally bound, hereby agree as follows:

1. The Restrictive Covenants Agreement to be executed by the parties hereto shall be held in escrow by People's Counsel as escrow agent, until such time as the property described above has been zoned ML.
2. Upon occurrence of the above event, the escrow agent shall record the Restrictive Covenant Agreement at Owner's expense. The Restrictive Covenant Agreement shall then be promptly recorded with the original thereof being returned to the person designated by Church.

EXHIBIT 1
RESTRICTIVE COVENANTS
2a

3. Church, in consideration of the above, agrees to support Owner's efforts to secure all necessary governmental approval for use of the property as a parking lot to service its business. Church also expressly warrants that this matter has been discussed by its congregation and members respectively, that this action (entering into this agreement) has been specifically and duly authorized, and that it has no knowledge of any member of either group dissenting to or planning to object to the use of the property as a parking lot as aforesaid so long as this Agreement is made, and complied with.

4. Owner agrees to landscape the property so as to meet the minimum standards set forth in the Baltimore County Landscaping Manual. Within reasonable limits, Owner agrees to provide such additional landscaping as may be requested by the Church within six months of the transfer of the property to Owner. Should Owner and Church disagree as to the reasonableness of a request, both parties agree to submit the dispute to Barbara Bachur, Councilwoman for the Fourth Councilmanic District of Baltimore County, for resolution and to be bound by her decision. The landscaping obligation of the Owner shall not be a covenant binding on and running with the land, nor shall it be included in any deed or Restrictive Covenant Agreement affecting the property.

5. The Church has attempted to take into consideration the needs and desires of the residents immediately adjacent to the property and has consulted with them. Both parties expressly acknowledge however that only Church and Owner are conferred any rights or obligations by virtue of this Agreement.

6. This Agreement shall be binding upon the respective successors and assigns of the parties hereto.

7. This Agreement is to be construed and interpreted in accordance with the laws of the State of Maryland.

8. The Restrictive Covenants Agreement attached hereto shall be executed immediately following execution of this Agreement.

9. This Agreement shall be null and void in the event the aforesaid property is not zoned ML on the 1984 Baltimore County Zoning Map.

10. This Agreement constitutes the entire agreement between the parties and may not be modified, amended or otherwise changed except by a written instrument duly signed by all the parties to this Agreement.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and year first above written.

METRO HOUSING, INC.

By: *[Signature]*
Attest: *[Signature]*

MARYLAND ETCHING COMPANY, INC.

By: *[Signature]*
Attest: *[Signature]*

MOUNT CALVARY A.M.E. CHURCH, a/k/a
MOUNT CALVARY METHODIST PROTESTANT

CHURCH

By: *[Signature]*
Witness: *[Signature]*

2

3

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JADON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

February 25, 1986

William M. Hesson, Jr., Esquire
204 W. Pennsylvania Avenue
Towson, MD 21204

RE: PETITION FOR VARIANCE
NE/S of Eudowood Lane,
130' SE of Hillen Road
9th Election District
Maryland Etching Co., Inc.,
Petitioner
Case No. 86-302-A

Dear Mr. Hesson:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

[Signature]
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMHJ:bg

Attachments

cc: People's Counsel

Mr. Michael Miller
1241 E. Pennsylvania Avenue
Towson, MD 21204

IN RE: PETITION FOR VARIANCE
NE/S of Eudowood Lane,
130' SE of Hillen Road
9th Election District
Maryland Etching Co., Inc.,
Petitioner
BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 86-302-A

The Petitioner herein requests variances to permit a front yard setback of 5 feet in lieu of the required 75 feet, a side yard setback of 3 feet in lieu of the required 50 feet and a rear yard setback of zero feet in lieu of the required 50 feet.

Testimony indicated that the Petitioner is a light manufacturing business, established in 1945 and under the ownership of the current president since 1966. Business has expanded to the point that approximately 40% more floor space is proposed for warehouse, storage, art and photography departments, office, and employee amenities, as indicated on the plan prepared by Whitney, Bailey, Cox and Magnani, dated October 1985 and marked Petitioner's Exhibit 1. In general, the requested variances extend the setbacks of existing building structures. The company will invest considerable funds to remain in the community, protect close to 50 jobs and perhaps provide more jobs. The Petitioner, with an option to buy additional property to enlarge the site to one acre, requested and was granted M.L.-zoning during the 1984 comprehensive map process. The Petitioner entered into covenants regarding the parking lot with the church on the south side of Eudowood Lane. A representative of the church participated in the hearing. There were no Protestants.

After due consideration of the testimony and evidence presented, and it appearing that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner, and the granting of the variances requested would not adversely affect

the health, safety, and general welfare of the community, and, therefore, the variances should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 25th day of February, 1986, that the herein Petition for Variances to permit a front yard setback of 5 feet in lieu of the required 75 feet, a side yard setback of 3 feet in lieu of the required 50 feet and a rear yard setback of zero feet in lieu of the required 50 feet, in accordance with Petitioner's Exhibit 1, is hereby GRANTED, from and after the date of this Order, subject, however, to the following restriction:

1. The Petitioner shall comply with all landscape requirements of the Baltimore County Office of Current Planning and Development.

JMHJ:bg

[Signature]
Deputy Zoning Commissioner
of Baltimore County

SPELLMAN, LARSON
& ASSOCIATES, INC.

SUITE 107 - JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
823-3355

ROBERT E. SPELLMAN, P.L.S.
JOSEPH L. LARSON
LOUIS J. PASECKI, P.E.
ALBERT FREIT

DESCRIPTION FOR ZONING, NORTHEAST SIDE OF EUDOWOOD LANE, SOUTHEAST OF HILLEN ROAD, 9TH DISTRICT, BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point on the northeast side of Eudowood Lane at the distance of 130 feet, more or less, measured southeasterly along the northeast side of Eudowood Lane from the centerline of Hillen Road extended northwesterly to meet the northeast side of Eudowood Lane and running thence and binding on the northeast, northwest and northeast sides of Eudowood Lane South 73 Degrees 58 Minutes 22 Seconds East 115.58 feet North 24 Degrees 32 Minutes 17 Seconds East 72.91 feet and South 80 Degrees 00 Minutes 20 Seconds East 287.84 feet thence leaving the northeast side of Eudowood Lane and running North 24 Degrees 02 Minutes 35 Seconds East 106.15 feet to the Southwest side of the former Maryland and Pennsylvania Railway Company right of way and running thence and binding thereon North 56 Degrees 06 Minutes 04 Seconds West 410.84 feet thence leaving said Railroad right of way and running South 28 Degrees 01 Minutes 36 Seconds West 123.86 feet to the place of beginning.

Containing 1.0 acres of land, more or less.

10/15/85



RESIDENTIAL & COMMERCIAL DEVELOPMENT DESIGN • LAND SURVEYING
LAND PLANNING • SUBDIVISION DESIGN • FEASIBILITY STUDIES • ESTIMATING
GRADING STUDIES • LOCATION SURVEYS • TECHNICAL CONSULTATION

RESTRICTIVE COVENANTS AGREEMENT

THIS RESTRICTIVE COVENANTS AGREEMENT is made and entered into as of this ___ day of November, 1984, by and between MARYLAND ETCHING COMPANY, INC. and METRO HOUSING, INC. (collectively "Owner"), parties of the first part, and the MOUNT CALVARY A.M.E. CHURCH also known as the MOUNT CALVARY METHODIST-PROTESTANT CHURCH (the "Church"), party of the second part.

WHEREAS, the parties of the first part are contract purchaser and fee simple owner of a tract of land described in a deed recorded in the Land Records of Baltimore County in Liber 6523, Page 129 (hereinafter referred to as the "Property"); and

WHEREAS, the Church has supported the use of the property as a parking lot to serve contract purchaser's business; and

WHEREAS, the Church represents the church members, residents, and property owners in the area to be affected by the use of the property as a parking lot, and being so affected, has entered into this Agreement for the purpose of limiting the use of the Property; and

WHEREAS, although the Church has attempted to take into consideration the needs and desires of the residents of the immediate neighborhood adjacent to the property and has consulted with them, all parties expressly acknowledge that only the Church and the Owner are conferred any rights or obligations by this Agreement; and

WHEREAS, the Owner and the Church desire to place certain restrictions and conditions upon the Property, subject to the terms of this Agreement; and

WHEREAS, in order to have the restrictions and conditions on the Property in this Agreement binding and in full force and effect upon the Owner, its successors and assigns, it will hold, utilize and thereafter convey the Property subject to the covenants, restrictions and conditions herein contained.

NOW, THEREFORE, THIS AGREEMENT WITNESSETH: That in consideration of the mutual agreements, covenants, restrictions and conditions herein contained, and the sum of Five Dollars (\$5.00) paid by each party to the other, and other good and valuable consideration, the receipt of which is hereby mutually acknowledged, the parties hereby agree to enter into these presents and to have the same recorded among the Land Records for Baltimore County, and that subject to the provisions hereof, the covenants, restrictions and conditions shall run with and be

binding upon the Property and all future owners thereof and shall inure to the benefit of each of the parties hereto, their successors, and assigns, as follows:

1. In the event the property is not used for residential purposes, it shall be used solely as a parking lot.

2. In the event the property is used as a parking lot, the members of the Church shall have the right to use the property for parking in conformance with all applicable laws, ordinances, regulations and the like.

In the event that the residential property adjacent to the property which is subject to these covenants should have its zoning changed to a non-residential classification or cease to be used for residential purposes, this Restrictive Covenant Agreement shall be null and void; with the exception that Church members shall have the right to use whatever parking area is owned by Owner and used by it to service its business premises as presently located, it being expressly acknowledged that in the event of the zoning or use change aforesaid this Restrictive Covenant Agreement shall have no effect on the right or ability of the Owner to locate parking, buildings or other operations anywhere on property owned by it, including the property subject to this Agreement; further, should the Church cease to use its property adjacent to the property which is subject to these covenants primarily for religious or community purposes, or should the Church transfer (voluntarily or involuntarily) its property or any part thereof, restrictive Covenant No. 2 as set forth above (parking for church members) shall be null and void.

This Agreement contains the entire understanding between the parties and each of the parties hereto warrants that it has carefully read and understands this Agreement and is cognizant of the terms hereof and further understands its respective rights and obligations with respect to all matters involved in this Agreement.

This Agreement may only be amended by the written agreement of the parties hereto or their respective successors or assigns. In the event that the Church shall cease to exist for a period of

90 days or more, for any reason, including, but not limited to, dissolution or forfeiture of any corporate charter, then Covenant No. 2 as set forth above (parking for Church members) shall be null and void, and any revival (including, but not limited to, Articles of Revival) by any means shall not reinstate Covenant No. 2.

METRO HOUSING, INC.
By: [Signature]
Attest: [Signature]
MARYLAND ETCHING COMPANY, INC.
By: [Signature]
Attest: [Signature]

MOUNT CALVARY A.M.E. CHURCH, a/k/a
MOUNT CALVARY METHODIST-
PROTESTANT CHURCH
By: [Signature]
Attest: [Signature]

STATE OF MARYLAND, COUNTY OF Baltimore, to wit:
I HEREBY CERTIFY, That on this ___ day of November, 1984, before me, the subscriber, a Notary Public of the State of Maryland, personally appeared [Signature] who acknowledged himself to be the President of MARYLAND ETCHING COMPANY, INC., a corporation, and that he as such President being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing in my presence, the name of the corporation by himself as such President.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.
My Commission expires: July 1, 1986
STATE OF MARYLAND, COUNTY OF Baltimore, to wit:
I HEREBY CERTIFY, That on this ___ day of November, 1984, before me, the subscriber, a Notary Public of the State of Maryland, personally appeared [Signature] who acknowledged himself to be the President of MARYLAND ETCHING COMPANY, INC., a corporation, and that he as such President being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing in my presence, the name of the corporation by himself as such President.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.
My Commission expires: July 1, 1986
STATE OF MARYLAND, COUNTY OF Baltimore, to wit:
I HEREBY CERTIFY, That on this ___ day of November, 1984, before me, the subscriber, a Notary Public of the State of Maryland, personally appeared [Signature] who acknowledged himself to be the President of MARYLAND ETCHING COMPANY, INC., a corporation, and that he as such President being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing in my presence, the name of the corporation by himself as such President.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.
My Commission expires: July 1, 1986
STATE OF MARYLAND, COUNTY OF Baltimore, to wit:
I HEREBY CERTIFY, That on this ___ day of November, 1984, before me, the subscriber, a Notary Public of the State of Maryland, personally appeared [Signature] who acknowledged himself to be the President of MARYLAND ETCHING COMPANY, INC., a corporation, and that he as such President being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing in my presence, the name of the corporation by himself as such President.

PETITION FOR ZONING VARIANCE

9th Election District

LOCATION: Northeast side of Eudowood Lane, 130 feet Southeast of Hillen Road

DATE AND TIME: Tuesday, February 11, 1986, at 1:30 p.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Zoning Variance from Sections (255.2) 243.1 to permit a front yard setback of five feet in lieu of the required seventy-five feet; from Section 243.2 to permit a side yard setback of three feet in lieu of the required fifty feet; and from Section 243.3 to permit a rear yard setback of zero feet in lieu of the required fifty feet.

Being the property of Maryland Etching Company, Inc., as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
NE/S of Eudowood Lane, 130' :
SE of Hillen Rd., 9th District : OF BALTIMORE COUNTY
MARYLAND ETCHING COMPANY, : Case No. 86-302-A
INC., Petitioner : : : : :
ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

[Signature]
Phyllis Cole Friedman
People's Counsel for Baltimore County

[Signature]
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 21st day of January, 1986, a copy of the foregoing Entry of Appearance was mailed to William M. Hesson, Jr., Esquire, 204 W. Pennsylvania Ave., Towson, MD 21204, Attorney for Petitioner.

[Signature]
Peter Max Zimmerman

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER
JANUARY 28, 1986
JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

William M. Hesson, Jr., Esquire
204 West Pennsylvania Avenue
Towson, Maryland 21204

RE: PETITION FOR ZONING VARIANCE
NE/S of Eudowood Lane, 130' SE of Hillen Rd.
Maryland Etching Company, Inc., Petitioner
9th Election District
Case No. 86-302-A

Dear Mr. Hesson:

This is to advise you that \$75.00 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

By Order of
Arnold Jablon,
Zoning Commissioner
of Baltimore County

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: 1/28/86 ACCOUNT: 86-302-A
AMOUNT: \$ 75.00
RECEIVED FROM: Peter Max Zimmerman
FOR: Advertising and Posting
VALIDATION OR SIGNATURE OF CASHIER: [Signature]

CERTIFICATE OF PUBLICATION

TOWSON, MD, January 23, 1986

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on January 23, 1986.

THE JEFFERSONIAN,
[Signature]
Publisher
Cost of Advertising
27.50

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

District: 974 Date of Posting: 1/21/86

Posted for: Variance

Petitioner: Maryland Etching Company, Inc.

Location of property: NE/S Eudowood Lane, 130' SE of Hillen Rd.

Location of Sign: NE/S Eudowood Lane, 130' SE of Hillen Rd.

Remarks: as presently on file

Posted by: [Signature] Date of return: 1/24/86

Number of Signs: 1

Case No. 86-302-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
6th day of January, 1985.

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

Petitioner Maryland Etching Co., Inc. Received by
Petitioner's Attorney William M. Hesson, Jr., Esquire
Chairman, Zoning Plans Advisory Committee

CERTIFICATE OF PUBLICATION

TOWSON, MD., January 22, 1985

THIS IS TO CERTIFY that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of successive weeks, the first publication appearing on January 22, 1985.

TOWSON, TIMES,

Publisher

42.50

86-302-A

William M. Hesson, Jr., Esquire
204 West Pennsylvania Avenue
Towson, Maryland 21204

January 10, 1986

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
NE/Side of Hildebrand Lane, 130' SE of Hillen Road
Maryland Etching Company, Inc., Petitioner
Case No. 86-302-A

TIME: 1:30 p.m.

DATE: Thursday, February 11, 1986

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 012355

DATE: ACCOUNT: AMOUNT: \$

RECEIVED FROM:

FOR:

VALIDATION OR SIGNATURE OF CASHIER

LAW OFFICES

NOLAN, PLUMHOFF & WILLIAMS
CHARTERED
204 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
(301) 823-7800

OF COUNSEL
RALPH E. DEITZ
9028 LIBERTY ROAD
RANDALLSTOWN, MARYLAND 21133
(301) 822-2101

RUSSELL J. WHITE

March 6, 1986

Reverend William Gray
Mount Calvary AME Church
300 Eudowood Lane
Towson, Maryland 21204

Re: Maryland Etching/Restrictive Covenants

Dear Reverend Gray:

Deputy Zoning Commissioner Jean Jung has asked that I advise you on the current status of the above-captioned matter. Since my telephone conference with Commissioner Jung, I have received back from the Restrictive Covenants Agreement. I have enclosed herewith the original Restrictive Covenants Agreement indicating the recording data stamped thereon. I strongly urge that you keep this document with the most important papers with the church so that it is not lost. However, even if it should be lost or misplaced, the fact that it has been recorded among the Land Records of Baltimore County is sufficient protection for the church.

If you have any questions about this matter, please do not hesitate to give me a call.

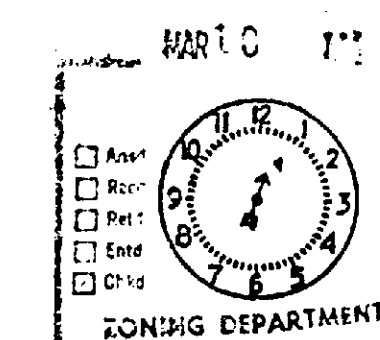
Very truly yours,

William M. Hesson, Jr.

WMHJR/ndg

Enclosure

cc: Mr. Gilbert Hooper
Ms. Jean Jung,
Deputy Zoning Commissioner



LAW OFFICES

NOLAN, PLUMHOFF & WILLIAMS
CHARTERED
204 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
(301) 823-7800

OF COUNSEL
RALPH E. DEITZ
9028 LIBERTY ROAD
RANDALLSTOWN, MARYLAND 21133
(301) 822-2101

RUSSELL J. WHITE

November 5, 1985

Honorable Arnold Jablon
Zoning Commission for Baltimore County
County Office Building
111 E. Chesapeake Avenue
Towson, Maryland 21204

Dear Mr. Jablon:

On November 5, I filed, on behalf of Maryland Etching Company, Inc., a petition for variance at their location on Eudowood Lane. Part of the scheme of development of my client depends upon the acquisition of an adjacent site by the end of the calendar year 1985. As a consequence, a hearing on the variances requested need to be completed at the earliest possible time.

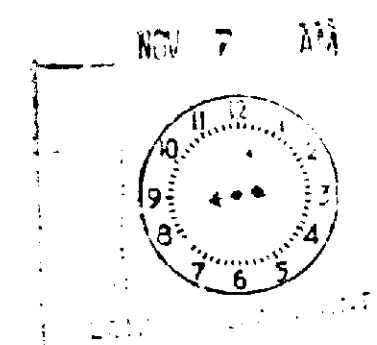
I realize that there are time requirements which will affect the scheduling of this case. However, I request that the matter be set in for hearing at the earliest possible time in light of the circumstances.

Sincerely,

William M. Hesson, Jr.

WMHJR/ndg

cc: Mr. James Dyer
Mr. Gilbert Hooper
Mr. Brian Jones
Mr. Robert Spellman



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning
SUBJECT: Zoning Petition No. 86-302-A

Date: January 22, 1986

There are no comprehensive planning factors requiring comment on this petition.

Norman E. Gerber
Norman E. Gerber, AICP
Director

NEG:JGH:slm

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

January 13, 1986

COUNTY OFFICE BUILDING
111 W. Chesapeake Ave.
Towson, Maryland 21204

William M. Hesson, Jr., Esquire
204 W. Pennsylvania Avenue
Towson, Maryland 21204

RE: Item No. 172, Case No. 86-302-A
Petitioner - Md. Etching Company, Inc.
Variance Petition

Dear Mr. Hesson:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:mr

Enclosures

cc: Spellman, Larson & Associates, Inc.
Suite 107 - Jefferson Building
105 West Chesapeake Avenue
Towson, Maryland 21204

Whitney, Bailey, Cox, Magnani
1850 York Road
Timonium, Maryland 21093

BALTIMORE COUNTY
PLANNING AND ZONING
COUNTY OFFICE BUILDING
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
NORMAN E. GERBER
DIRECTOR

JANUARY 14, 1986

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

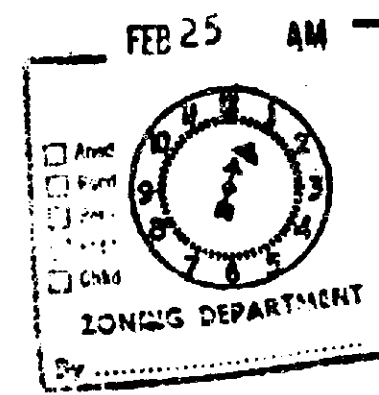
Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable:

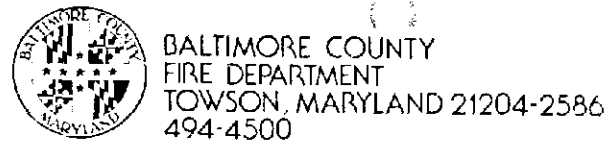
- ☒ There are no site planning factors requiring comment.
- ☒ A County Review Group meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- ☒ This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- ☒ A record plat will be required and must be recorded prior to issuance of a Building Permit.
- ☒ The access is not satisfactory.
- ☒ The circulation on this site is not satisfactory.
- ☒ The parking arrangement is not satisfactory.
- ☒ Parking calculations must be shown on the plan.
- ☒ This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ☒ Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-88 of the Development Regulations.
- ☒ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☒ The proposed Development Plan was approved by the Planning Board on 1/13/86.
- ☒ Enclosures: Just Copy with Baltimore County Land Use Manual, Bill 173-79. No building permit may be issued until a Service Capacity Use Certificate has been issued. The deficient service is:
- ☒ The property is located in a traffic area controlled by a top level intersection as defined by Bill 173-79. The intersection shown on the map is at the intersection of Hillen Road and Eudowood Lane. The Traffic Services Area is located at the intersection of Hillen Road and Eudowood Lane.
- ☒ Additional comments:

cc: James Hyslop

Norman E. Gerber
Chairman, Current Planning and Development



Arnold Jablon
ARNOLD JABLON
Zoning Commissioner
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE
CHIEF

November 22, 1985

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Maryland Etching Company, Inc

Location: NE side Eudowood Lane, 130' SE of Hillen Road

Item No.: 172 Zoning Agenda: Meeting of November 19, 1985

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with a. "X" are applicable and required to be corrected or incorporated into the final plans for the property.

(X) 1. Fire hydrants for the referenced property are required and shall be located at intervals or 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

(X) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation. Fire mains shall have a minimum diameter of 8 inches.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: *[Signature]* Noted and
Planning Group Approved: *[Signature]*
Special Inspection Division

/mb



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

December 6, 1985

TED ZALESKI, JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 172 Zoning Advisory Committee Meeting are as follows:

Property Owner: Maryland Etching Company, Inc.

Location: NE/Side Eudowood Lane, 130' SE of Hillen Road

District: 9th.

APPLICABLE ITEMS ARE CIRCLED:

(A) All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.N.S.I. #117-1 - 1980) and other applicable Codes and Standards.

(B) A building and other miscellaneous permits shall be required before the start of any construction.

C. Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data.

(L) Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.

(E) All Use Groups except R-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. R-4 Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 401, Section 407, Section 406.2 and Table 402. No openings are permitted in an exterior wall within 3'-0" of an interior lot line. See also Section 444.5 for opening protectives that may be required.

F. The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 401 and 505 and have your Architect/Engineer contact this department.

G. The requested variance appears to conflict with Section(s) _____, of the Baltimore County Building Code.

(F) When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use _____ to Use _____, or to Mixed Uses. See Section 312 of the Building Code.
What are the individual uses of the various structures.

I. The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.

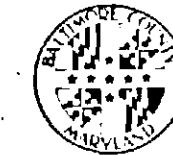
(J) Comments: Please advise how the existing structure will be able to comply to Table 501. With the proposed addition Section 505.2 may require some minor or major changes to existing construction. As a minimum it appears the fire wall may be part of the answer between new and old construction. See the State Handicapped Code which will require compliance also. An elevator would appear to be required under the Handicapped Code.

(K) These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, the applicant may obtain additional information by visiting Room 122 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

NOTE:

[Signature]
By: C. E. Burnham, Chief
Building Plans Review

L/22/85



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

January 7, 1986

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. -ZAC- Meeting of November 16, 1985
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

Acres:
District:

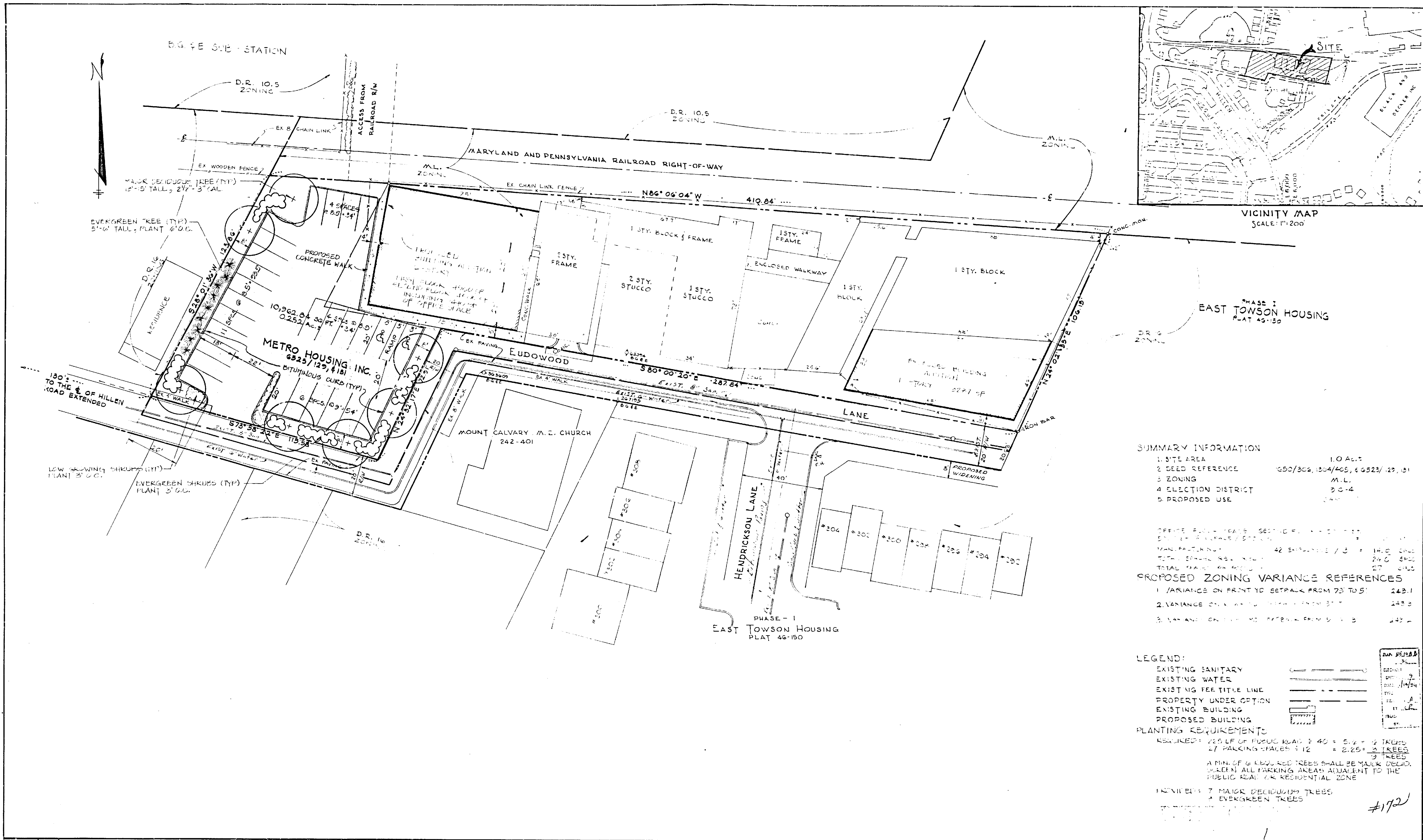
Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items numbered 171, (172), 174, 175, 178, 179, 180, and 181.

[Signature]
Michael S. Flanagan
Traffic Engineer Associate II

MSF/blb

2/11
86-302-1A



SUMMARY INFORMATION

1. SITE AREA	1.0 AC.
2. DEED REFERENCE	652/302, 1304/405, & 6523/129, 131
3. ZONING	M.L.
4. ELECTION DISTRICT	30-4
5. PROPOSED USE	RETAIL

OFFICE BUILDING: 42,000 SF
 TOTAL SPACES: 42 SPACES / 3 = 14.0 SPACES
 TOTAL SPACES: 42 SPACES / 3 = 14.0 SPACES
 TOTAL SPACES: 42 SPACES / 3 = 14.0 SPACES

PROPOSED ZONING VARIANCE REFERENCES

1. VARIANCE ON FRONT YD. SETBACK FROM 75 TO 5'	243.1
2. VARIANCE ON SIDE YD. SETBACK FROM 30 TO 10'	243.2
3. VARIANCE ON REAR YD. SETBACK FROM 30 TO 10'	243.3

LEGEND:

- EXISTING SANITARY
- EXISTING WATER
- EXISTING FERTILE LINE
- PROPERTY UNDER OPTION
- EXISTING BUILDING
- PROPOSED BUILDING

PLANTING REQUIREMENTS

REQUIRED: 25 LF OF PUBLIC ROAD = 40 = 5.2 = 12 TREES
 27 PARKING SPACES = 12 = 2.25 = 3 TREES

A MIN. OF 6 RED TREES SHALL BE PLANT. DECID.
 PLANT IN ALL PARKING AREAS ADJACENT TO THE
 PUBLIC ROAD OR RESIDENTIAL ZONE

REQUIRE: 7 MAJOR DECIDUOUS TREES
 1 EVERGREEN TREES

#172

DATE	NO.	REVISION	OWNER:	PLAT TO ACCOMPANY PETITION FOR VARIANCES MARYLAND ETCHING COMPANY P.O. BOX 6737 BALTIMORE COUNTY, MARYLAND		WHITNEY BAILEY CONSULTING ENGINEERS 1850 York Road Timonium Md. 21093 301-252-6050
			MARYLAND ETCHING COMPANY INC - LOTS 10 THROUGH 14 OF PLAT 2/42 Q.T. 4507/230 & E.H.K. JR. 3424/147			
			W/OPTION TO PURCHASE FROM			
			METRO HOUSING INC - LOTS 8 & 9 OF PLAT 2/42 E.H.K. JR. 6523/129 & 131			

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 243.1 to permit a front yard setback of five (5') feet in lieu of the required seventy-five (75') feet; from Section 243.2 to permit a side yard setback of three (3') feet in lieu of the required fifty (50') feet; and from Section 243.3 to permit a rear yard setback of zero (0') feet in lieu of the required fifty (50') feet. of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

Proposed building additions are continuations of the front yard, and rear yard setbacks of existing building structures associated with the manufacturing use of the subject property. No additional land is available for expansion of the facilities, thus limiting expansion improvements to the limits shown on the plat.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: Maryland Etching Company, Inc.
(Type or Print Name)
Signature: Gilbert C. Hooper, President
Address: (Type or Print Name)
City and State: (Type or Print Name)

Attorney for Petitioner: William M. Hesson, Jr.
(Type or Print Name)
Signature: William M. Hesson, Jr.
Address: 204 W. Pennsylvania Avenue
Townson, Maryland 21204
City and State: Maryland 21204
Attorney's Telephone No.: 823-7800

ORDERED By The Zoning Commissioner of Baltimore County, this 25th day of February, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 11th day of February, 1986, at 1:30 o'clock.

(over)

AGREEMENT IN CONSIDERATION OF RESTRICTIVE COVENANTS

THIS AGREEMENT, is made and entered into as of this 25th day of November, 1984, by and between Maryland Etching Company, Inc. and Metro Housing, Inc. (collectively "Owner"), and Mount Calvary A.M.E. Church, also known as Mount Calvary Methodist Protestant Church ("Church").

EXPLANATORY STATEMENT

Owner, are contract purchaser and owner, respectively, and parties to an Agreement of Sale, for the purchase of property known as Lots 8 and 9 as shown on a Plat entitled "Plat of Land belonging to the Relief Association for Baltimore County, Maryland," Map 70, Block 9, parcel 891 (tax property numbers 0923350642 and 0923352510), and being all or part of the property described in deeds recorded in Baltimore County Land Records Liber 6523, pages 129 and 131 (the property), and which property Owner intends to use as a parking lot. In order to provide protection to Church and residents in the immediate neighborhood and to promote harmony between Owner, Church and such residents, the parties hereto have contemporaneously herewith entered into a Restrictive Covenants Agreement which restricts the use of the Property as agreed by the parties.

It is expressly understood, however, by the parties hereto that this Agreement is to have no effect on the Owner's right to use or develop the property as currently allowed under existing zoning.

The purpose of this Agreement is to set forth the understanding and agreements between the parties concerning the recording of the Restrictive Covenants Agreement and other actions to be taken by the parties concerning the use of the Property.

NOW, THEREFORE, in consideration of the mutual covenants and agreements set forth herein, the parties hereto, intending to be legally bound, hereby agree as follows:

1. The Restrictive Covenants Agreement to be executed by the parties hereto shall be held in escrow by People's Counsel as escrow agent, until such time as the property described above has been zoned ML.
2. Upon occurrence of the above event, the escrow agent shall record the Restrictive Covenant Agreement at Owner's expense. The Restrictive Covenant Agreement shall then be promptly recorded with the original thereof being returned to the person designated by Church.

EXHIBIT 1
RESTRICTIVE COVENANTS
2a

3. Church, in consideration of the above, agrees to support Owner's efforts to secure all necessary governmental approval for use of the property as a parking lot to service its business. Church also expressly warrants that this matter has been discussed by its congregation and members respectively, that this action (entering into this agreement) has been specifically and duly authorized, and that it has no knowledge of any member of either group dissenting to or planning to object to the use of the property as a parking lot as aforesaid so long as this Agreement is made, and complied with.

4. Owner agrees to landscape the property so as to meet the minimum standards set forth in the Baltimore County Landscaping Manual. Within reasonable limits, Owner agrees to provide such additional landscaping as may be requested by the Church within six months of the transfer of the property to owner. Should Owner and Church disagree as to the reasonableness of a request, both parties agree to submit the dispute to Barbara Bachur, Councilwoman for the Fourth Councilmanic District of Baltimore County, for resolution and to be bound by her decision. The landscaping obligation of the Owner shall not be a covenant binding on and running with the land, nor shall it be included in any deed or Restrictive Covenant Agreement affecting the property.

5. The Church has attempted to take into consideration the needs and desires of the residents immediately adjacent to the property and has consulted with them. Both parties expressly acknowledge however that only Church and Owner are conferred any rights or obligations by virtue of this Agreement.

6. This Agreement shall be binding upon the respective successors and assigns of the parties hereto.

7. This Agreement is to be construed and interpreted in accordance with the laws of the State of Maryland.

8. The Restrictive Covenants Agreement attached hereto shall be executed immediately following execution of this Agreement.

9. This Agreement shall be null and void in the event the aforesaid property is not zoned ML on the 1984 Baltimore County Zoning Map.

10. This Agreement constitutes the entire agreement between the parties and may not be modified, amended or otherwise changed except by a written instrument duly signed by all the parties to this Agreement.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and year first above written.

METRO HOUSING, INC.

By: *Francis A. Hannon*
Attest

MARYLAND ETCHING COMPANY, INC.

By: *Gilbert C. Hooper*
Attest

MOUNT CALVARY A.M.E. CHURCH, a/k/a
MOUNT CALVARY METHODIST PROTESTANT

CHURCH

By: *Barbara Bachur*
Witness

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JADON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

February 25, 1986

William M. Hesson, Jr., Esquire
204 W. Pennsylvania Avenue
Towson, MD 21204

RE: PETITION FOR VARIANCE
NE/S of Eudowood Lane,
130' SE of Hillen Road
9th Election District
Maryland Etching Co., Inc.,
Petitioner
Case No. 86-302-A

Dear Mr. Hesson:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

JEAN M. H. JUNG
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMHJ:bg

Attachments

cc: People's Counsel

Mr. Michael Miller
1241 E. Pennsylvania Avenue
Towson, MD 21204

IN RE: PETITION FOR VARIANCE
NE/S of Eudowood Lane,
130' SE of Hillen Road
9th Election District
Maryland Etching Co., Inc.,
Petitioner
BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 86-302-A

The Petitioner herein requests variances to permit a front yard setback of 5 feet in lieu of the required 75 feet, a side yard setback of 3 feet in lieu of the required 50 feet and a rear yard setback of zero feet in lieu of the required 50 feet.

Testimony indicated that the Petitioner is a light manufacturing business, established in 1945 and under the ownership of the current president since 1966. Business has expanded to the point that approximately 40% more floor space is proposed for warehouse, storage, art and photography departments, office, and employee amenities, as indicated on the plan prepared by Whitney, Bailey, Cox and Magnani, dated October 1985 and marked Petitioner's Exhibit 1. In general, the requested variances extend the setbacks of existing building structures. The company will invest considerable funds to remain in the community, protect close to 50 jobs and perhaps provide more jobs. The Petitioner, with an option to buy additional property to enlarge the site to one acre, requested and was granted M.L.-zoning during the 1984 comprehensive map process. The Petitioner entered into covenants regarding the parking lot with the church on the south side of Eudowood Lane. A representative of the church participated in the hearing. There were no Protestants.

After due consideration of the testimony and evidence presented, and it appearing that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner, and the granting of the variances requested would not adversely affect

the health, safety, and general welfare of the community, and, therefore, the variances should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 25th day of February, 1986, that the herein Petition for Variances to permit a front yard setback of 5 feet in lieu of the required 75 feet, a side yard setback of 3 feet in lieu of the required 50 feet and a rear yard setback of zero feet in lieu of the required 50 feet, in accordance with Petitioner's Exhibit 1, is hereby GRANTED, from and after the date of this Order, subject, however, to the following restriction:

1. The Petitioner shall comply with all landscape requirements of the Baltimore County Office of Current Planning and Development.

JMHJ:bg

JEAN M. H. JUNG
Deputy Zoning Commissioner
of Baltimore County

SPELLMAN, LARSON
& ASSOCIATES, INC.

SUITE 107 - JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
823-3355

ROBERT E. SPELLMAN, P.L.S.
JOSEPH L. LARSON
LOUIS J. PASECKI, P.E.
ALBERT FREIT

DESCRIPTION FOR ZONING, NORTHEAST SIDE OF EUDOWOOD LANE, SOUTHEAST OF HILLEN ROAD, 9TH DISTRICT, BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point on the northeast side of Eudowood Lane at the distance of 130 feet, more or less, measured southeasterly along the northeast side of Eudowood Lane from the centerline of Hillen Road extended northwesterly to meet the northeast side of Eudowood Lane and running thence and binding on the northeast, northwest and northeast sides of Eudowood Lane South 73 Degrees 58 Minutes 22 Seconds East 115.58 feet North 24 Degrees 32 Minutes 17 Seconds East 72.91 feet and South 80 Degrees 00 Minutes 20 Seconds East 287.84 feet thence leaving the northeast side of Eudowood Lane and running North 24 Degrees 02 Minutes 35 Seconds East 106.15 feet to the Southwest side of the former Maryland and Pennsylvania Railway Company right of way and running thence and binding thereon North 56 Degrees 06 Minutes 04 Seconds West 410.84 feet thence leaving said Railroad right of way and running South 28 Degrees 01 Minutes 36 Seconds West 123.86 feet to the place of beginning.

Containing 1.0 acres of land, more or less.

10/15/85



RESIDENTIAL & COMMERCIAL DEVELOPMENT DESIGN • LAND SURVEYING
LAND PLANNING • SUBDIVISION LAYOUT • FEASIBILITY STUDIES • ESTIMATING
GRADING STUDIES • LOCATION SURVEYS • TECHNICAL CONSULTATION

RESTRICTIVE COVENANTS AGREEMENT

THIS RESTRICTIVE COVENANTS AGREEMENT is made and entered into as of this 11 day of November, 1984, by and between MARYLAND ETCHING COMPANY, INC. and METRO HOUSING, INC. (collectively "Owner"), parties of the first part, and the MOUNT CALVARY A.M.E. CHURCH also known as the MOUNT CALVARY METHODIST-PROTESTANT CHURCH (the "Church"), party of the second part.

WHEREAS, the parties of the first part are contract purchaser and fee simple owner of a tract of land described in a deed recorded in the Land Records of Baltimore County in Liber 6523, Page 129 (hereinafter referred to as the "Property"); and

WHEREAS, the Church has supported the use of the property as a parking lot to serve contract purchaser's business; and

WHEREAS, the Church represents the church members, residents, and property owners in the area to be affected by the use of the property as a parking lot, and being so affected, has entered into this Agreement for the purpose of limiting the use of the Property; and

WHEREAS, although the Church has attempted to take into consideration the needs and desires of the residents of the immediate neighborhood adjacent to the property and has consulted with them, all parties expressly acknowledge that only the Church and the Owner are conferred any rights or obligations by this Agreement; and

WHEREAS, the Owner and the Church desire to place certain restrictions and conditions upon the Property, subject to the terms of this Agreement; and

WHEREAS, in order to have the restrictions and conditions on the Property in this Agreement binding and in full force and effect upon the Owner, its successors and assigns, it will hold, utilize and thereafter convey the Property subject to the covenants, restrictions and conditions herein contained.

NOW, THEREFORE, THIS AGREEMENT WITNESSETH: That in consideration of the mutual agreements, covenants, restrictions and conditions herein contained, and the sum of Five Dollars (\$5.00) paid by each party to the other, and other good and valuable consideration, the receipt of which is hereby mutually acknowledged, the parties hereby agree to enter into these presents and to have the same recorded among the Land Records for Baltimore County, and that subject to the provisions hereof, the covenants, restrictions and conditions shall run with and be

binding upon the Property and all future owners thereof and shall inure to the benefit of each of the parties hereto, their successors, and assigns, as follows:

1. In the event the property is not used for residential purposes, it shall be used solely as a parking lot.

2. In the event the property is used as a parking lot, the members of the Church shall have the right to use the property for parking in conformance with all applicable laws, ordinances, regulations and the like.

In the event that the residential property adjacent to the property which is subject to these covenants should have its zoning changed to a non-residential classification or cease to be used for residential purposes, this Restrictive Covenant Agreement shall be null and void; with the exception that Church members shall have the right to use whatever parking area is owned by Owner and used by it to service its business premises as presently located, it being expressly acknowledged that in the event of the zoning or use change aforesaid this Restrictive Covenant Agreement shall have no effect on the right or ability of the Owner to locate parking, buildings or other operations anywhere on property owned by it, including the property subject to this Agreement; further, should the Church cease to use its property adjacent to the property which is subject to these covenants primarily for religious or community purposes, or should the Church transfer (voluntarily or involuntarily) its property or any part thereof, restrictive Covenant No. 2 as set forth above (parking for church members) shall be null and void.

This Agreement contains the entire understanding between the parties and each of the parties hereto warrants that it has carefully read and understands this Agreement and is cognizant of the terms hereof and further understands its respective rights and obligations with respect to all matters involved in this Agreement.

This Agreement may only be amended by the written agreement of the parties hereto or their respective successors or assigns. In the event that the Church shall cease to exist for a period of

90 days or more, for any reason, including, but not limited to, dissolution or forfeiture of any corporate charter, then Covenant No. 2 as set forth above (parking for Church members) shall be null and void, and any revival (including, but not limited to, Articles of Revival) by any means shall not reinstate Covenant No. 2.

METRO HOUSING, INC.
By: [Signature]
Attest: [Signature]
MARYLAND ETCHING COMPANY, INC.
By: [Signature]
Attest: [Signature]

MOUNT CALVARY A.M.E. CHURCH, a/k/a
MOUNT CALVARY METHODIST-
PROTESTANT CHURCH
By: [Signature]
Attest: [Signature]

STATE OF MARYLAND, COUNTY OF Baltimore, to wit:
I HEREBY CERTIFY, That on this 11 day of November, 1984, before me, the subscriber, a Notary Public of the State of Maryland, personally appeared [Signature] who acknowledged himself to be the President of MARYLAND ETCHING COMPANY, INC., a corporation, and that he as such President being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing in my presence, the name of the corporation by himself as such President.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.
My Commission expires: July 1, 1986
STATE OF MARYLAND, COUNTY OF Baltimore, to wit:
I HEREBY CERTIFY, That on this 11 day of November, 1984, before me, the subscriber, a Notary Public of the State of Maryland, personally appeared [Signature] who acknowledged himself to be the President of MARYLAND ETCHING COMPANY, INC., a corporation, and that he as such President being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing in my presence, the name of the corporation by himself as such President.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.
My Commission expires: July 1, 1986
STATE OF MARYLAND, COUNTY OF Baltimore, to wit:
I HEREBY CERTIFY, That on this 11 day of November, 1984, before me, the subscriber, a Notary Public of the State of Maryland, personally appeared [Signature] who acknowledged himself to be the President of MARYLAND ETCHING COMPANY, INC., a corporation, and that he as such President being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing in my presence, the name of the corporation by himself as such President.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.
My Commission expires: July 1, 1986
STATE OF MARYLAND, COUNTY OF Baltimore, to wit:
I HEREBY CERTIFY, That on this 11 day of November, 1984, before me, the subscriber, a Notary Public of the State of Maryland, personally appeared [Signature] who acknowledged himself to be the President of MARYLAND ETCHING COMPANY, INC., a corporation, and that he as such President being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing in my presence, the name of the corporation by himself as such President.

PETITION FOR ZONING VARIANCE

9th Election District

LOCATION: Northeast side of Eudowood Lane, 130 feet Southeast of Hillen Road

DATE AND TIME: Tuesday, February 11, 1986, at 1:30 p.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Zoning Variance from Sections (255.2) 243.1 to permit a front yard setback of five feet in lieu of the required seventy-five feet; from Section 243.2 to permit a side yard setback of three feet in lieu of the required fifty feet; and from Section 243.3 to permit a rear yard setback of zero feet in lieu of the required fifty feet.

Being the property of Maryland Etching Company, Inc., as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
NE/S of Eudowood Lane, 130' :
SE of Hillen Rd., 9th District : OF BALTIMORE COUNTY
MARYLAND ETCHING COMPANY, : Case No. 86-302-A
INC., Petitioner : : : : :
ENTRY OF APPEARANCE

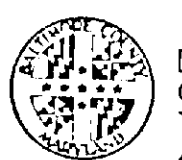
Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

[Signature]
Phyllis Cole Friedman
People's Counsel for Baltimore County

[Signature]
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 21st day of January, 1986, a copy of the foregoing Entry of Appearance was mailed to William M. Hesson, Jr., Esquire, 204 W. Pennsylvania Ave., Towson, MD 21204, Attorney for Petitioner.

[Signature]
Peter Max Zimmerman



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

January 28, 1986

William M. Hesson, Jr., Esquire
204 West Pennsylvania Avenue
Towson, Maryland 21204

RE: PETITION FOR ZONING VARIANCE
NE/S of Eudowood Lane, 130' SE of Hillen Rd.
Maryland Etching Company, Inc., Petitioner
9th Election District
Case No. 86-302-A

Dear Mr. Hesson:

This is to advise you that \$75.00 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: 1/28/86 ACCOUNT: 86-302-A
AMOUNT: \$ 75.00

RECEIVED FROM: Peter Max Zimmerman
FOR: Advertising and Posting

VALIDATION OR SIGNATURE OF CASHIER: [Signature]

CERTIFICATE OF PUBLICATION

TOWSON, MD, January 23, 1986

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on January 23, 1986.

THE JEFFERSONIAN,

[Signature]
Publisher

Cost of Advertising
27.50

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 974 Date of Posting: 1/21/86

Posted for: Variance

Petitioner: Maryland Etching Company, Inc.

Location of property: NE/S Eudowood Lane, 130' SE of Hillen Rd.

Location of Sign: NE/S Eudowood Lane, 130' SE of Hillen Rd.

Remarks: as presently on file

Posted by: [Signature] Date of return: 1/24/86

Number of Signs: 1

Case No. 86-302-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
6th day of January, 1985.

ARNOLD JABLON
Zoning Commissioner

Petitioner Maryland Etching Co., Inc. Received by
Petitioner's Attorney William M. Hesson, Jr., Esquire

James E. Dyer
Chairman, Zoning Plans
Advisory Committee

CERTIFICATE OF PUBLICATION

TOWSON, MD., January 22, 1985

THIS IS TO CERTIFY that the annexed advertisement was
published in the TOWSON TIMES, a weekly newspaper printed
and published in Towson, Baltimore County, Md., once in each
of successive weeks, the first publication appearing
on January 22, 1985.

TOWSON, TIMES,

Publisher

42.50

86-302-A

William M. Hesson, Jr., Esquire
204 West Pennsylvania Avenue
Towson, Maryland 21204

January 10, 1986

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
NE/Side of Hildebrand Lane, 130' SE of Hillen Road
Maryland Etching Company, Inc., Petitioner
Case No. 86-302-A

TIME: 1:30 p.m.

DATE: Thursday, February 11, 1986

PLACE: Room 106, County Office Building, 111 West Chesapeake
Avenue, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 012355

DATE: ACCOUNT: AMOUNT: \$

RECEIVED FROM:

FOR:

VALIDATION OR SIGNATURE OF CASHIER

LAW OFFICES

NOLAN, PLUMHOFF & WILLIAMS
CHARTERED
204 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
(301) 823-7800

OF COUNSEL
RALPH E. DEITZ
9028 LIBERTY ROAD
RANDALLSTOWN, MARYLAND 21133
(301) 822-2101

RUSSELL J. WHITE

March 6, 1986

Reverend William Gray
Mount Calvary AME Church
300 Eakwood Lane
Towson, Maryland 21204

Re: Maryland Etching/Restrictive Covenants

Dear Reverend Gray:

Deputy Zoning Commissioner Jean Jung has asked that I advise you
on the current status of the above-captioned matter. Since my tele-
phone conference with Commissioner Jung, I have received back from
the Restrictive Covenants Agreement. I have enclosed here-
with the original Restrictive Covenants Agreement indicating the re-
cording data stamped thereon. I strongly urge that you keep this
document with the most important papers with the church so that it is
not lost. However, even if it should be lost or misplaced, the fact
that it has been recorded among the Land Records of Baltimore County
is sufficient protection for the church.

If you have any questions about this matter, please do not hesi-
tate to give me a call.

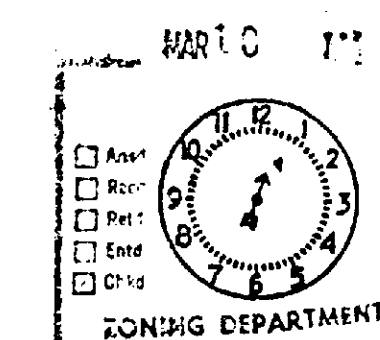
Very truly yours,

William M. Hesson, Jr.

WMHJR/ndg

Enclosure

cc: Mr. Gilbert Hooper
Ms. Jean Jung,
Deputy Zoning Commissioner



LAW OFFICES

NOLAN, PLUMHOFF & WILLIAMS
CHARTERED
204 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
(301) 823-7800

OF COUNSEL
RALPH E. DEITZ
9028 LIBERTY ROAD
RANDALLSTOWN, MARYLAND 21133
(301) 822-2101

RUSSELL J. WHITE

November 5, 1985

Honorable Arnold Jablon
Zoning Commission for Baltimore County
County Office Building
111 E. Chesapeake Avenue
Towson, Maryland 21204

Dear Mr. Jablon:

On November 5, I filed, on behalf of Maryland Etching Com-
pany, Inc., a petition for variance at their location on Eakwood
Lane. Part of the variance of my client depends
upon the acquisition of an adjacent site by the end of the calen-
dar year 1985. As a consequence, a hearing on the variances re-
quested need to be completed at the earliest possible time.

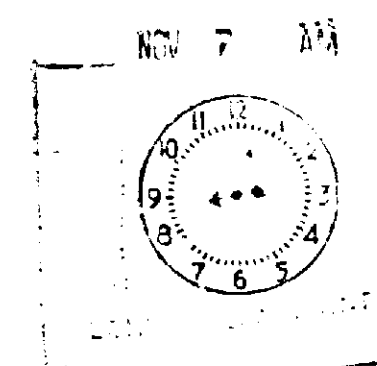
I realize that there are time requirements which will affect
the scheduling of this case. However, I request that the matter
be set in for hearing at the earliest possible time in light of
the circumstances.

Sincerely,

William M. Hesson, Jr.

WMHJR/ndg

cc: Mr. James Dyer
Mr. Gilbert Hooper
Mr. Brian Jones
Mr. Robert Spellman



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning
SUBJECT: Zoning Petition No. 86-302-A

Date: January 22, 1986

There are no comprehensive planning factors requiring comment
on this petition.

Norman E. Gerber, AICP
Director

NEG:JGH:slm

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

January 13, 1986

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

William M. Hesson, Jr., Esquire
204 W. Pennsylvania Avenue
Towson, Maryland 21204

RE: Item No. 172, Case No. 86-302-A
Petitioner - Md. Etching Company, Inc.
Variance Petition

Dear Mr. Hesson:

The Zoning Plans Advisory Committee has reviewed the plans sub-
mitted with the above-referenced petition. The following comments
are not intended to indicate the appropriateness of the zoning action
requested, but to assure that all parties are made aware of plans or
problems with regard to the development plans that may have a bearing
on this case. The Director of Planning may file a written report with
the Zoning Commissioner with recommendations as to the suitability of
the requested zoning.

Enclosed are all comments submitted from the members of the
Committee at this time that offer or request information on your
petition. If similar comments from the remaining members are received,
I will forward them to you. Otherwise, any comment that is not infor-
mative will be placed in the hearing file. This petition was accepted
for filing on the date of the enclosed filing certificate and a hearing
scheduled accordingly.

Very truly yours,

James E. Dyer
Chairman
Zoning Plans Advisory Committee

JED:mr

Enclosures

cc: Spellman, Larson & Associates, Inc.
Suite 107 - Jefferson Building
105 West Chesapeake Avenue
Towson, Maryland 21204

Whitney, Bailey, Cox, Magnani
1850 York Road
Timonium, Maryland 21093

BALTIMORE COUNTY
PLANNING AND ZONING
TOWSON, MARYLAND 21204
NORMAN E. GERBER
DIRECTOR

JANUARY 14, 1986

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

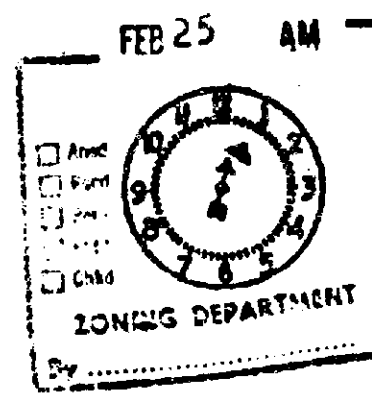
Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject
petition and offers the following comments. The items checked below are
applicable:

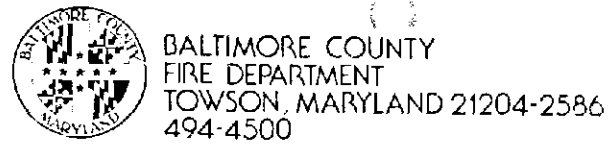
- ☒ There are no site planning factors requiring comment.
- ☒ A County Review Group meeting was held and the minutes will be
forwarded by the Bureau of Public Services.
- ☒ This site is part of a larger tract; therefore it is defined as a
subdivision. The plan must show the entire tract.
- ☒ A record plat will be required and must be recorded prior
to issuance of a Building Permit.
- ☒ The circulation on this site is not satisfactory.
- ☒ The parking arrangement is not satisfactory.
- ☒ Parking calculations must be shown on the plan.
- ☒ This property contains soils which are defined as wetlands, and
development on these soils is prohibited.
- ☒ Construction in or alteration of the floodplain is prohibited
under the provisions of Section 22-88 of the Development
Regulation.
- ☒ Development of this site may constitute a potential conflict with
the Baltimore County Master Plan.
- ☒ The proposed Development Plan was approved by the Planning Board
on 1/13/86.
- ☒ Enclosures: Just copy with Baltimore County Land Use Manual.
The property is located in a deficient service area as defined by
Capacity Use Certificate has been issued. The deficient service
is:
- ☒ The property is located in a deficient area controlled by a top level
intersection as defined by 2111.17-27. The deficient service area
is: 2111.17-27. The deficient service area is: 2111.17-27. The deficient service
area is: 2111.17-27. The deficient service area is: 2111.17-27.

cc: James Hyslop

Norman E. Gerber
Chairman, Current Planning and Development



RECEIVED
FEB 25 1986
Maryland Etching
1850 YORK ROAD
TIMONIUM, MD 21093



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE
CHIEF

November 22, 1985

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Maryland Etching Company, Inc

Location: NE side Eudowood Lane, 130' SE of Hillen Road

Item No.: 172 Zoning Agenda: Meeting of November 19, 1985

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with a. "X" are applicable and required to be corrected or incorporated into the final plans for the property.

(X) 1. Fire hydrants for the referenced property are required and shall be located at intervals or 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

(X) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation. Fire mains shall have a minimum diameter of 8 inches.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: *[Signature]* Noted and
Planning Group Approved: *[Signature]*
Special Inspection Division

/mb



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

December 6, 1985

TED ZALESKI, JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 172 Zoning Advisory Committee Meeting are as follows:

Property Owner: Maryland Etching Company, Inc.

Location: NE/Side Eudowood Lane, 130' SE of Hillen Road

District: 9th.

APPLICABLE ITEMS ARE CIRCLED:

(A) All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.N.S.I. #117-1 - 1980) and other applicable Codes and Standards.

(B) A building and other miscellaneous permits shall be required before the start of any construction.

C. Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/are not required on plans and technical data.

(L) Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.

(E) All Use Groups except R-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. R-4 Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 401, Section 407, Section 406.2 and Table 402. No openings are permitted in an exterior wall within 3'-0" of an interior lot line. See also Section 411.5 for opening protectives that may be required.

F. The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 401 and 505 and have your Architect/Engineer contact this department.

G. The requested variance appears to conflict with Section(s) _____, of the Baltimore County Building Code.

(F) When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use _____ to Use _____, or to Mixed Uses. See Section 312 of the Building Code.
What are the individual uses of the various structures.

I. The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.

(J) Comments: Please advise how the existing structure will be able to comply to Table 501. With the proposed addition Section 505.2 may require some minor or major changes to existing construction. As a minimum it appears the fire wall may be part of the answer between new and old construction. See the State Handicapped Code which will require compliance also. An elevator would appear to be required under the Handicapped Code.

NOTE:

(K) These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, the applicant may obtain additional information by visiting Room 122 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

[Signature]
By: C. E. Burnham, Chief
Building Plans Review

L/22/85



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

January 7, 1986

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. -ZAC- Meeting of November 16, 1985
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

Acres:
District:

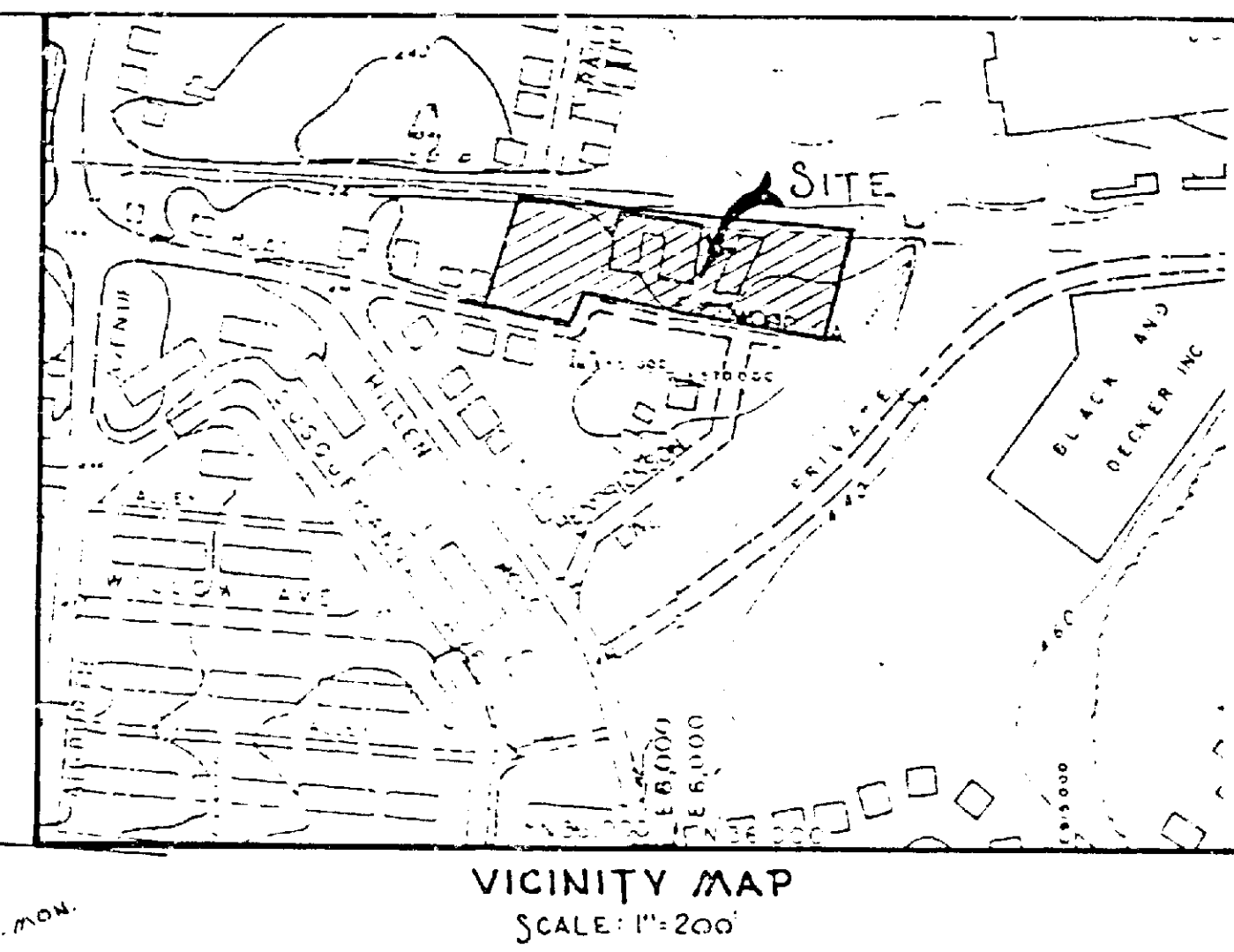
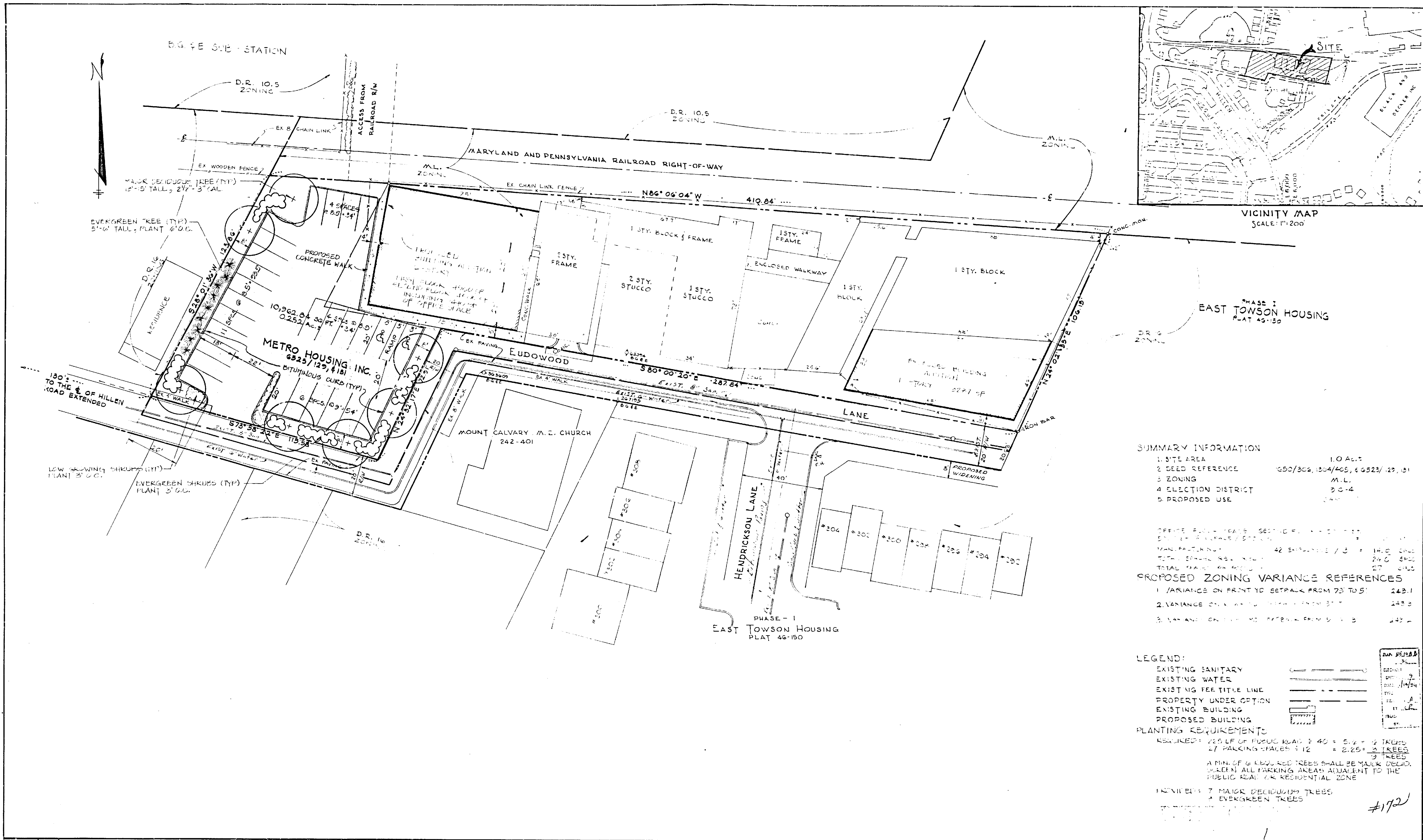
Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items numbered 171, (172), 174, 175, 178, 179, 180, and 181.

[Signature]
Michael S. Flanigan
Traffic Engineer Associate II

MSF/blb

2/11
86-302-1A



SUMMARY INFORMATION

1. SITE AREA	1.0 AC.
2. DEED REFERENCE	652/302, 1304/405, & 6523/129, 131
3. ZONING	M.L.
4. ELECTION DISTRICT	30-4
5. PROPOSED USE	REHAB

PROPOSED ZONING VARIANCE REFERENCES

1. VARIANCE ON FRONT YD. SETBACK FROM 75' TO 5'	243.1
2. VARIANCE ON SIDE YD. SETBACK FROM 30' TO 25'	243.2
3. VARIANCE ON REAR YD. SETBACK FROM 30' TO 25'	243.3

LEGEND:

- EXISTING SANITARY
- EXISTING WATER
- EXISTING FERTILE LINE
- PROPERTY UNDER OPTION
- EXISTING BUILDING
- PROPOSED BUILDING

PLANTING REQUIREMENTS

REQUIRED: 25 LF OF PUBLIC ROAD = 40 = 5.2 = 12 TREES
 27 PARKING SPACES = 12 = 2.25 = 3 TREES

A MIN. OF 6 RED TREES SHALL BE PLANT. DECID. PLANT. ALL PARKING AREAS ADJACENT TO THE PUBLIC ROAD OR RESIDENTIAL ZONE

REQUIRE: 7 MAJOR DECIDUOUS TREES
 1 EVERGREEN TREES

#172

<table border="1"> <tr> <th>DATE</th> <th>NO.</th> <th>REVISION</th> </tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </table>	DATE	NO.	REVISION													<p>OWNER:</p> <p>MARYLAND ETCHING COMPANY INC - LOTS 10 THROUGH 14 OF PLAT 2/42 Q.T. 4507/230 & E.H.K. JR. 3434/147</p> <p>W/OPTION TO PURCHASE FROM</p> <p>METRO HOUSING INC - LOTS 8 & 9 OF PLAT 2/42 E.H.K. JR. 6523/129 & 131</p>	<p>PLAT TO ACCOMPANY PETITION FOR VARIANCES</p> <p>MARYLAND ETCHING COMPANY P.O. BOX 6737 BALTIMORE COUNTY, MARYLAND</p>	<div style="text-align: center;"> </div> <p>HITNEY BAILEY COX MAGNANI CONSULTING ENGINEERS</p> <p>1850 York Road Timonium Md. 21093 301-252-6050</p> <table border="1" style="width: 100%;"> <tr> <td>DESIGNED: [Signature]</td> <td>DRAWN: [Signature]</td> <td>CHECKED: [Signature]</td> </tr> <tr> <td>DATE: 10-1-82</td> <td>SCALE: 1"=20'</td> <td>W.B.G.M. NO. 58515331</td> </tr> </table>	DESIGNED: [Signature]	DRAWN: [Signature]	CHECKED: [Signature]	DATE: 10-1-82	SCALE: 1"=20'	W.B.G.M. NO. 58515331
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